

RIGHT OF RETURN

Joint Parliamentary Middle East Councils
Commission of Enquiry — Palestinian Refugees

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This Report is dedicated to the children we met at Miya Miya Refugee Camp in Sidon on 10th September 2000, and the dreams which they shared with us. It is also dedicated to the lost dreams of the children of Tal al-Za'tar camp, 1976, and of Sabra and Shatila camps, 1982.

Preface

Despite such astonishing realities as that two thirds of all Palestinians are currently refugees, have endured such humiliation for more than 50 years, and most often live in appalling circumstances of deprivation and danger, most informed observers of the Israeli-Palestinian peace process continue to believe that the refugee issue is of trivial relevance. As the testimonies in this moving report make vividly clear, the refugee consciousness is unified behind the idea that “a right of return”, as guaranteed by the United Nations and by international law, is indispensable to any prospect of reconciliation between the two peoples who have been for so long at war with one another. Once this right is acknowledged by Israel in a manner that includes an apology for a cruel dynamic of dispossession in 1948, Palestinian refugees seem consistently prepared to adapt to the intervening realities, including the existence of Israel as a sovereign, legitimate state. But to pretend that peace and reconciliation can proceed behind the backs of the refugees is to perpetuate a cruel hoax, inevitably leading to a vicious cycle of false expectations and shattered hopes. The collapse of the Oslo process is an occasion for grave concern about the future, but also a moment that encourages reflection on what went wrong and why.

The clarity of international law and morality, as pertaining to Palestinian refugees, is beyond any serious question. It needs to be appreciated that the obstacles to implementation are *exclusively* political – the resistance of Israel, and the unwillingness of the international community, especially the Western liberal democracies, to exert significant pressure in support of these Palestinian refugee rights. It is important to grasp the depth of Israeli resistance, which is formulated in apocalyptic language by those in the mainstream, and even by those who situate themselves within the dwindling Israeli peace camp. On a recent visit to Jerusalem, I heard Israelis say over and over again that it would be “suicide” for Israel to admit a Palestinian right of return, that no country could be expected to do that. A perceptive Israeli intellectual told me that the reason Israel was uncomfortable with any mention of human rights was that it inevitably led to the refugee issue, with a legal and moral logic that generated an unacceptable political outcome. How to overcome this abyss is a challenge that should haunt the political imagination of all those genuinely committed to finding a just and sustainable reconciliation between Israel and Palestine.

Given these tragically still distant horizons of peace, the current daily ordeal of the refugees is worthy of urgent attention, and presents international society with opportunities to mitigate suffering without addressing the fundamental challenge relating to the destiny of the Palestinian refugees. It should be realised that for all this period UNRWA has been performing humanitarian miracles, often with insufficient budgetary support and under difficult and dangerous operating condition, especially in the refugee camps located in Gaza, the West Bank, and Lebanon. But UNRWA is limited in its mandate to the provision of relief, making it unable to extend *protection* to the refugees and their communities. Nearly 20 years ago, when I was in Beirut as part of the Sean MacBride Commission of Enquiry into the Israeli Invasion of 1982, and again this month during a trip to the West Bank and Gaza as a member of a three-person delegation appointed by the UN Human Rights Commission,

I was struck by the terrible vulnerability of the Palestinian refugee communities. When UNRWA was established in 1949, the protection role for Palestinian refugees was entrusted to a different body, the United Nations Conciliation Commission for Palestine (UNCCP). But UNCCP, while still formally in existence, has been a ghost organisation from its inception: inoperative, without a budget, essentially defunct. Because a special regime to ensure "heightened protection" (General Assembly Resolution 194) had been established to address the Palestinian refugee ordeal, Palestinians alone among the refugees in the world are outside the protective framework of the United Nations High Commission for Refugees.

Despite this institutional gap having existed for decades, the anomalous vulnerability of Palestinian refugees persists to this day. It should not. According to Article 1D of the 1951 Convention Relative to the Status of Refugees, which expressly decrees that when a special arrangement for the protection of refugees "has ceased for any reason", then coverage under the normal UNHCR framework should be established. One concrete step of definite benefit to Palestinian refugees, especially those subject to Israeli security arrangements, is for the international community, via the UN General Assembly, to insist explicitly and formally that these refugees be entitled to UNHCR protection. Such a step should be coordinated with a reaffirmation of and enhanced funding for UNRWA's humanitarian relief role. Given the closures, shellings and hardships being currently experienced by Palestinian refugees in Gaza and the West Bank, this overdue adjustment should be viewed from the perspective of responding to an ongoing humanitarian catastrophe.

Sustaining Palestinian identity during this period of displacement is fragile, and of utmost importance. Undoubtedly, one of UNRWA's greatest contributions is to have maintained such comprehensive records over the years in the form of Family Files, which are sadly crumbling, but which document the displaced personal realities for more than 700,000 Palestinian families. These files tell many stories that need to be preserved as a vital part of Palestinian historical memory, providing the basis for a national archive of the Palestinian people, a treasure of immeasurable value, especially so due to the interminable length of the refugee ordeal, which has had an inevitably deep disruptive impact on Palestinian identity.

On the more fundamental matter of how to fit the overall Palestinian refugee question into an understanding of what the exercise of the right of self-determination and human rights implies, there is the need to rethink the relevance of refugees to a *real* peace process. There is, first of all, the vital question of representation. Is the PLO capable of representing the interests of the Palestinian refugee diaspora? There are worries about whether the PLO is sufficiently concerned about the rights of the refugees living within the Palestinian Territories, that is under the Palestinian National Authority. These concerns derive from the view that the PLO is primarily focused on achieving a Palestinian state, and seems willing to negotiate away most, if not all, of the rights of the Palestinian refugees under international law and morality.

The international community has a particular responsibility, as well as an opportunity with respect to the establishment of mechanisms by which to represent Palestinian refugees generally, and those in Syria, Lebanon and Jordan in particular. Refugee sentiments, grievances, aspirations and entitlements

need their own channels of effective communication. Without these channels, the decades of suffering are likely to culminate in a kind of permanent dispossession and, thereby, likely to doom any "peace" arrangement made without their genuine participation. Not only the United Nations, but the European Union – in keeping with its commitment to the spread of democratic practices, could creatively fashion initiatives that would at least give these refugees a voice that can be heard in Tel Aviv, Washington, and throughout Europe. I believe implementing the recommendations of this report moves significantly in the right direction.

What makes this Parliamentary Report so valuable in relation to the above analysis is that it presents a wide range of testimonies that are, above all, impressive in the intensity with which they insist on the implementation of their right of return as unconditionally integral to peace and reconciliation between Israel and Palestine. It would be a severe mistake of history, with potentially serious repercussions, for leaders on either side to suppose that they can negotiate a solution that ignores the underlying claims of the wide community of Palestinian refugees. Such a mistake was one of the main reasons why the Oslo framework was doomed from its inception. Perhaps this experience of failure will lead to more realism on both sides as to the pre-conditions for "real peace", and to the sort of process needed to reach such a promised land.

Richard Falk, Princeton University, 8th March 2001

Introduction by the Chair of the Commission

On 10th September, after a ten-day tour of Palestinian refugee camps in Palestine, Jordan Syria and Lebanon, myself, Menzies Campbell, Neil Gerrard, Nick St Aubyn and the Commission's Secretariat were invited to Miya Miya Refugee Camp. We were to meet Palestinian children, all of them refugees, who had gathered there from camps all over Lebanon. We arrived at Miya Miya, in Sidon in south Lebanon, on a hot and dusty September afternoon, driving up a steep, winding road towards the community centre where the meeting was to take place. As we reached our destination, the children rushed to surround the bus we were travelling in, and there was great commotion and excitement as we got out and made our way into the hall.

As we came into the centre, we were overwhelmed by the sound of bagpipes, and by the children who clapped while singing a welcome for us, esteemed foreign guests. The walls were covered with posters with the articles of international law that related to the right of return written on them, and calling on the international community to fulfil its responsibilities. After a performance of traditional dancing and singing by the children, we divided into groups and spent the afternoon talking to them about their lives and also about their hopes for the future. After the ten days of intensive travelling, and the many meetings with refugees and officials responsible for their welfare from all over the region, we were exhausted. Before arriving in Miya Miya we thought we had learnt all we could about the concerns and views of Palestinian refugee communities. Yet as we went into that hall, to be met with the energy and utter enthusiasm of these wonderful children, I knew that this was the heart of the Enquiry's mission, and the real reason why we had come.

The children that we met in Miya Miya camp that day are third-generation refugees, living in refugee camps that were set up over 50 years ago. When they spoke to us, it was with a candour and directness about their predicament, utterly self-aware amidst the poverty and deprivation and ambivalence of their life in refugee camps. Most devastating of all was the way they spoke of their future hopes, possessed of the full knowledge that the label of "refugee" would forever deny them the opportunities which exist for other children who live as citizens of a state. They spoke to us about their hopes of returning one day to Palestine and of their sense of being unwelcome foreigners in Lebanon. They spoke of simple desires such as wanting more space to play football. They also spoke of more profound fears, such as leaving school because of the dead end that awaited them as young adults. They even spoke to us about international affairs and the selective implementation of UN resolutions, used to bomb Iraq but failing to insist on the return of Palestinian refugees to their homes.

That afternoon made a deep impression on all of us, and we are grateful and honoured that the children worked so hard to welcome us. This report is dedicated to them, their future and to their dreams, and in the hope that both they and their children will grow up as citizens of a state, with the rights and opportunities afforded to children everywhere. This must be the last generation of Palestinian refugees. It is time for them to go home.

Ernie Ross MP, Chair, Dundee, Scotland, 9th March, 2001

"We will not repeat the mistake of the Israelis and make our existence in our land dependent on the non-existence of the people who are already living here. Israelis thought that their existence on the soil of Palestine meant the non-existence of the other. We do not consider this so. We do not wish to tell them to leave."

Historical Context

The Creation of the Palestinian Refugees

Palestinian refugees make up over half of the world's refugee population, and they are also one of the oldest of refugee groups. Currently there are around five million refugees, and they consist of the majority of the Palestinian people, just over two thirds, and include refugees from the 1948 war as well as the one in 1967. Palestine had been among the several former Ottoman Arab territories which were placed under the administration of Great Britain under the Mandates System adopted by the League of Nations. All but one of these Mandated Territories became fully independent states. The exception was Palestine, where the British had the implementation of the Balfour Declaration, issued by them in 1917, as their primary objective, and which expressed support for "the establishment in Palestine of a national home for the Jewish people". However, this declaration was clearly in contradiction with the legal provisions of the Mandate when it was drawn up by the UK for Palestine. Further, at the time of the Balfour Declaration, the Jews in Palestine did not constitute more than 10% of the population. Thus during the years of the Palestine Mandate, from 1922 to 1947, large-scale Jewish immigration from abroad took place, mainly from Eastern Europe, with the numbers swelling in the 1930s with the Nazi persecution of Jewish populations in Europe. Palestinian demands for independence and resistance to Jewish immigration led to uprisings by the Palestinian inhabitants in both 1929 and in 1937, but both were unsuccessful.

The creation of the refugee crisis can largely be attributed to the dramatic events which live on in the Palestinian memory as the *Nakba* (Catastrophe). On 29 November 1947, the United Nations adopted Resolution 181, partitioning Palestine into separate Arab and Jewish states. A full 86% of the land allotted to the proposed Jewish state was Palestinian-inhabited and Palestinian-owned, predominantly public land, with the state's Jewish citizens in a slight but distinct minority. The resolution is widely recognised as leading to the escalating outbreaks of violence, and at the termination of the British Mandate on 15th May 1948, to a full-scale war in the Middle East, which lasted just over a year. This led to the flight and expulsion of two thirds of the Palestinian Arab population and to the Israeli conquest of an extra 25% of territory allotted to the projected Arab state (up to the "Green" cease-fire line), on top of what had been earmarked for the projected Jewish state. Only the West Bank (annexed by Jordan) and the Gaza Strip (under Egyptian administration) escaped Israeli control until 1967.

When the fighting was over, the new state of Israel was in possession of most of the former Mandate Palestine, an area much larger than that stipulated in the partition plan, and the majority of the Palestinian people had

been expelled and dispossessed of their homes and lands. Indeed, the majority (more than 65%) of the Palestinians had actually been dispossessed of their lands in the months leading up to the war, as a result of "Plan Dalet", which was aimed at obtaining the maximum amount of land for the future state of Israel before the British Mandate ended on 15th May. Recent scholarship, providing a meticulous account of the exodus and its various phases, has now been published by several (mainly Israeli) historians. They have been able to trace the actions of the Jewish military forces in great detail over the two-year period thanks to the declassification of Israeli and British state papers from 1947 to 1949. Many of the refugees expelled were from the 583 villages that were subsequently destroyed by the new Israeli state in the years after its establishment, as well as from the large towns of Jaffa, Haifa and Lydda. The expulsions continued after the armistice agreement. The United Nations General Assembly passed Resolution 194 of 1949 which reaffirmed the legal principles on which the right return of the all the refugees (see Annex) in international law was based. It has yet to be implemented.

In the 1967 war, Israel occupied the remaining territory of Palestine (the West Bank and Gaza Strip), which had been under Jordanian and Egyptian control since 1948. This included the remaining part of Jerusalem, which was subsequently annexed by Israel. The war brought about a second exodus of Palestinians, estimated at half a million people. The refugees from 1948 and 1967 are to be found in the West Bank and Gaza, the surrounding Arab countries of Jordan, Lebanon and Syria, other Arab countries such as in the Gulf and Egypt, and even further afield in Europe and the Americas. Of the 3.8 million refugees that are registered with UNRWA, 33% live inside one of UNRWA's 59 refugee camps; the vast majority, 67%, live outside them. Many refugees were never registered at all. Overall, the figure for the total Palestinian population world-wide has been recently put at 7,788, 186, of whom 4,942,121 are refugees.

The Institutional Response to the Refugee Crisis.

The international community believed that the United Nations had a special responsibility to Palestinian refugees, given that their terrible predicament was created as a direct result of the UN decision to partition Palestine. Two international organisations were established by the United Nations in order to respond to the urgent crisis of Palestinian dispossession and the creation of the refugees. The first was the United Nations Conciliation Commission on Palestine in 1948 (UNCCP), whose specific mandate was to facilitate a resolution to the conflict, as well as to provide immediate assistance and protection to the refugees, and was established as a response to a recommendation by the then UN mediator, as set out in General Assembly Resolution 194 (III) (see Annex). It has found itself unable to carry out the basic commitments to its complex and multi-faceted mandate, and has functioned in a purely symbolic manner since the 1960s.

The second institution, which is still highly relevant today, is the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), created by General Assembly Resolution 302 (IV) of the United Nations in 1949. While UNRWA was created to carry out, in collaboration with local governments, the direct relief and works programme recommended by the Economic Survey Mission of UNCCP (above), it was not empowered to

guarantee the safety, security or legal and human rights of the refugees. UNRWA today provides education, health and relief and social services to 3.8 million registered Palestine refugees in Jordan, Lebanon the Syrian Arab Republic, the West Bank and the Gaza Strip. Under UNRWA's "operational definition", Palestine refugees are persons whose normal place of residence was Palestine between June 1946 and May 1948, who lost their homes and means of livelihood as a result of the 1948 Arab-Israeli conflict, and who took refuge in Jordan, Lebanon the Syrian Arab Republic, the Jordanian-ruled West Bank or the Egyptian-administered Gaza Strip. UNRWA's services are available to all those who meet this definition, who are registered with the Agency, and who need assistance. UNRWA's definition of a refugee also covers the descendants of persons who became refugees in 1948. Since it started operations, UNRWA has been a key element in the maintenance of Palestinian refugee identity against external pressures. In addition to its exceptional humanitarian and relief role, UNRWA's existence has helped to preserve amongst refugees the hope that the international community has not abandoned its responsibilities for securing a just settlement to their rights. In addition, UNRWA facilities have provided some of the institutional means through which refugees' basic identity as a people has been maintained. Although limited in both its mandate and its capacities, the place of UNRWA in Palestinian refugee identity is central and extremely important. The organisation continually struggles with annual deficits, due to insufficient donor contributions and commitments, and is constantly fund-raising in order to provide basic services to refugees.

Legal and Civil Status of Palestinian Refugees

Palestinian refugees' status is unique under international refugee law. Because the Palestinian refugees had a UN agency exclusively devoted to their relief, at the international level they were not covered by the 1951 Convention Relating to the Status of Refugees. The Convention was specifically restricted in applicability. As a result, Palestinian refugees registered with UNRWA and residing in its area of operation lack both the special protection provided for in the convention and the international protection provided by the United Nations High Commission for Refugees (UNHCR). UNHCR provides a much better standard of protection, and directly addresses the concerns and the rights of refugees, which – because of its mandate – UNRWA is completely unable to do. Almost all states and international entities have interpreted the relevant provisions in these instruments as severely restricting the rights of Palestinian refugees in comparison to the rights guaranteed to every other refugee group in the world. Thus, unlike any other group or category of refugees in the world, Palestinians are singled out for exceptional restrictions in all the main international legal instruments which govern the rights and obligations of states towards refugees. Over 5 million Palestinian refugees are currently denied access to their right to international protection.

Further, there is currently no single legal definition which covers all the Palestinian refugees. UNRWA's "operational" definition of 1948 did not set out to be comprehensively authoritative or descriptive. Indeed, UNRWA's formula was seen as inadequate as a means of defining Palestinian refugees from as early as 1951, by the United Nations Conciliation Commission on Palestine. Next, the refugees of the 1967 war are classified as "displaced peoples", not as refugees, and are still not included as such, as are those exiles who were

living abroad, as well as their children, and who need special permission to be able to return. Also to be noted is the presence of internal refugees within Israel, who lost their homes under an administrative fiat, and have been unable to repossess their property and return to their villages to this day. Their number is now around 300,000.

Refugees in Arab Host Countries

The expulsion and then dispersal of the Palestinians in 1948 throughout the Arab world deprived them of a single legal status as Palestinians. Arab states do not normally grant any foreigners resident status, and for the children of refugees, being born in the state is not a legal basis for claiming residency or nationality. In Lebanon, less than 50,000 Palestinians, mostly those with Lebanese family affiliations, managed to acquire nationality in the 1960s. In Syria and Egypt, however, very few Palestinians have obtained citizenship, while in the Gulf states, only a handful of individuals have been granted nationality. The majority of the Palestinians, except for those in Jordan, therefore have refugee documents.

Those from Gaza face the greatest difficulties, since many are second time refugees from both 1948 and 1967, and hold Egyptian refugee identity documents. Yet they are denied entry to Egypt. More than 80,000 of them fled to Jordan, where they remain stateless, and are mostly now resident in Jerash camp. Unlike the refugees who went to Jordan in 1948, they have never been given full residency rights. Most of the 5,000 Palestinian workers expelled from Libya recently, who became stranded on the Egyptian-Libyan border, were also in possession of this type of document. The 30,000 Palestinian refugees stranded in Kuwait after the exodus following the Gulf war were Gazans with Egyptian refugee identity papers. The Palestinians in the Occupied Territories after the 1967 war who registered in the Israeli census of 1967 are themselves considered "foreign residents" rather than citizens. In the two uprisings against the Israeli occupation of the West Bank and Gaza, the first in 1987, the second in the autumn of 2000, the largest proportion of Palestinians killed have been refugees.

For the refugees of Lebanon, the Lebanese civil war brought the massacre of thousands of Palestinian refugees when the refugee camp of Tal al-Za'tar fell, in August 1976, to the besieging army of the extreme right-wing militia, the Phalangists, with the aid of the Syrians. In June 1982, Israel invaded Lebanon with the declared intention of eliminating the PLO. After the invasion of the country and the siege of its capital had killed tens of thousands of Lebanese and Palestinian civilians (the latter almost exclusively refugees), PLO forces withdrew from Beirut after negotiations with the United States, and were transferred to neighbouring countries. This was after guarantees of safety for the hundreds of thousands of Palestinian refugees resident since 1948 were provided by the US government. However, this agreement was broken, Israeli forces entered West Beirut, and a large-scale massacre of refugees in Sabra and Shatila camps in West Beirut took place over a three-day period of 16-18th September 1982, by the now Israeli-backed Phalangist militia. The Israeli Prime Minister, Ariel Sharon, was indirectly held responsible for the massacre by an Israeli commission of enquiry. The War of the Camps, from 1985 onwards, also brought renewed casualties amongst the refugee population in Lebanon. After the PLO left Lebanon in 1982, the Lebanese authori-

ties embarked on a policy reducing the number of Palestinian refugees in the country. About 12,000, believed by the authorities to have acquired residency or nationality overseas, were taken off the registry in the following years, and others still were expelled to Jordan.

Bibliography and Further Study

For further reading on the history of the Palestinian refugees, their current status, their legal social and political situation, as well as the broader Palestine-Israel conflict, there are a number of sources.

A. For the most recent scholarship on the origins of the refugees, based on archival material see:

Sami Hadawi, *Palestinian Rights and Losses in 1948* (Al Saqi, London), 1988;
Walid Khalidi, *All That Remains*, (Institute for Palestine Studies, Beirut), 1991;
Nur Masalha, *Expulsion of the Palestinians: The Concept of 'Transfer' in Zionist Political Thought, 1882-1948*, (Institute for Palestine Studies, Washington DC), 1992;

Benny Morris, *The Birth of the Palestinian Refugee Problem, 1947-1949* (Cambridge University Press, Cambridge), 1987;

Benny Morris, *1948 and After. Israel and the Palestinians* (Clarendon Press, Oxford, 1990);

Ilan Pappé, *Britain and the Arab-Israeli Conflict 1948-1951*, (MacMillan, New York), 1988;

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Eugene Rogan and Avi Shlaim (eds), *The War for Palestine: Rewriting the History of 1948*, (Cambridge University Press, Cambridge), 2001;

Eli Sanbar, *Palestine 1948: L'Expulsion*, (Institute for Palestine Studies, Washington DC), 1994

Rosemary Sayigh, "Palestinians in Lebanon: Harsh Present, Uncertain Future", *Journal of Palestine Studies*, 97 (1995);

Palestine Yearbook of International Law 2000-20001, (entirely on Palestinian Refugees).

B. For Sources of official documents, United Nations Resolutions, and other reports, see the documents sections of the following websites:

UNISPAL: <http://www.un.org/unispal/>

UNRWA: <http://www.un.org/unrwa/>

UNHCR: <http://www.un.org/unhcr/>

C. For Books and articles about Refugee Law, and on specific aspects of Palestinian refugees specifically on legal, social, economic, and political conditions see:

Salman Abu Sitta, *Palestinian Right to Return: Sacred, Legal and Possible*, (Palestinian Return Centre, London), 1999

Guy Goodwin-Gill, *The Refugee in International Law*, (Clarendon, Oxford), 1996;

Terry Rempel, *When Refugees Go Home: Repatriation, Restitution and The Palestinian Refugee Case, A Comparative Approach*, (Badil Resource Centre, Bethlehem), 2000;

Salim Tam'ari, *Palestinian Refugee Negotiations: From Madrid to Oslo II and Status Strategic Studies* (Institute for Palestine Studies, Washington DC), 1996;

Lex Takkenberg, *The Status of Refugees under International Law* (Clarendon, Oxford), 1999;

Elia Zureik, *Palestinian Refugees and the Peace Process*, (Institute for Palestine Studies, Washington DC), 1996.

D. Research Institutions and NGOs that work for and with refugees:

Badil:

<http://www.badil.org/>

The Palestinian Diaspora and Refugee Centre (SHAML):

<http://www.shaml.org/index.htm>.

The Palestinian Refugee Research Net:

<http://www.arts.mcgill.ca/MEPP/PRRN/prfront.html>

Karma Nabulsi, Nuffield College, Oxford, 10th March, 2001.

"The first point I want to make concerns the concept of this Committee, which is the investigation of facts, and about this Committee being British. If Britain, after 52 years, is still forming committees to investigate the crime of the expulsion of a whole people from their country, then what is there to say? If the world wants to investigate the facts, then the world should be referred to the files of Britain."

The Main Findings from the Refugees' Testimony

The Commission of Enquiry asked the refugees several general questions as to how they viewed their past and their present situation, as well as what aspirations they had for a future settlement. We were particularly struck by several recurring themes, all of which emerged from the oral and written testimonies of the refugees themselves, and we would like to draw attention to them here. The examples given below are illustrative of views that were found throughout the trip. The Commission finds these seven themes to be of some significance, since they were mentioned consistently by all of the refugees with whom we spoke. We believe this to have further relevance given the diffuse, difficult and diverse nature of the Palestinian refugees' predicament. Physical locations, generational gaps, financial and social situations, and host relations in various Arab countries are all exceptionally dissimilar. Yet in spite of these variations, the following themes were constantly and consistently raised as central issues by all Palestinian refugees we met.

I. Core of the Conflict.

The first common opinion voiced was the understanding that the issue of the refugees themselves was the core of the conflict between the Arabs and Israel. Evaluating the refugee issue as the most relevant and urgent may seem an obvious point to those directly victimised; however, the delegation feels that this simple fact has often been overlooked by those parties involved in resolving the conflict.

The manner in which this is understood by refugees is extremely important. As Muhammad Nawfal (Saffuria, north Palestine), from Ain al-Hilwa Refugee Camp, told us:

The major issue for our Palestinian people is the issue of refugees. It is more sacred than the issue of Jerusalem, and if the issue of the refugees' return to their lands and properties of 1948 is not solved, the Palestinian issue is not solved, the Palestinian issue will never be solved. We are now addressing Palestinian representatives, Arab representatives and Arab countries, asking them not to manipulate the issue of the Palestinian refugees. There is no substitute for return to Palestine, neither compensation and staying here, nor resettlement. We refuse the whole issue of emigration as well. There is no substitute for return.

This understanding of refugees as the core of the conflict comes for reasons of the length of the problem, and because of its complexity.

According to Bassam Naim (Yazur, Jaffa):

The issue of the refugees is significant because it is the only issue that started in consequence of the war of 1948, whereas the issue of Jerusalem started after the war of 1967. The issues of water, borders, etc., started after 1967. Since the issue of the refugees is the only one that started in consequence of 1948, it is the most complicated one and the one to insist on the most strongly...

Yet this view is not restricted to those who suffered directly as refugees. In our conversations with Palestinians in the West Bank and Gaza who were not themselves refugees, the same point was made continually. One such typical remark was made by Muhammad Jaradat:

I am the coordinator of this programme, specialising in fieldwork. I am not a refugee, and this is an important point. I believe 100% that the Palestine question is mainly a refugee question. If you look at the program of the Palestinian liberation movement, it was return, liberation, and then Jerusalem. This has not changed. Seventy two percent of the Palestinian people are refugees. And if you make peace, then according to

democratic values and universal values you must make peace with the majority and not the minority. As a resident of Bethlehem or Hebron, it means that for me I cannot live in peace and security if my own people do not return and have their free choice as well as the international guarantee to return, for those who chose return.

II. Danger of Exclusion

All refugees, without exception, wanted to communicate directly with us the fact that they felt completely excluded from the peace process. They also wanted us to understand that a peaceful solution could only emerge with the inclusion of the refugee issue, as well as the refugees' participation in some manner. Finally, they told us that unless the refugees' concerns were incorporated into the process of decision-making on a final settlement, they were convinced that this agreement would not have the capacity to bring peace. These three distinct concerns were clearly articulated.

On exclusion from the peace process, Haifa Jamal told us in Beirut:

I don't feel that it is a peace process. Myself, I am eager to live in peace. We hope to live in peace. But real peace. Not what is happening now. When we follow and listen to what they are discussing about our situation and our rights in the negotiations, we don't consider this to be a peace process.

They were thus deeply suspicious about Oslo and the Camp David meetings that had taken place in July 2000. "I feel that this peace process has been enforced upon us," said Hussein Qasem, also in Beirut.

All the refugees we spoke to were unanimous about the implications of this exclusion from the peace process: no peace would be attainable without their legitimate concerns being addressed. In a Gaza refugee centre, Khamis al-Turk (Bir al-Sab'a) told us:

We, the people of Palestine, want to bring peace and security again into the world. However, there will be no peace without giving the sacred right of return to the people of Palestine."

This last comment was reiterated, in many formulations, by all those we met at the various refugee camps in the region.

III Representativeness

There were several discrete aspects concerning the complex subject of representation. This issue is the most complicated of all, but it is also perhaps the most understudied and misunderstood part of Palestinian refugee life.

We learnt that over different sets of rights and concerns there were different responses to the question of representativeness. The Commission learnt that representation involves different understandings depending on the issue at hand: individual property rights, civil rights and collective rights as a people to self-determination. For the collective will, and as to the rights of the Palestinian people as a people, the Commission was told without exception that their representative was the PLO. Khaled Mansur (Um al-Zaynat) put it quite simply, as did all Palestinians when this issue was raised:

As a Palestinian, I consider the PLO to be the only legitimate representative of the Palestinians and the leadership of our struggle to achieve the right of return. The strategy of the PLO is to push the international community and the United Nations to work for an implementation of the right of return through diplomatic and political channels.

Refugees repeatedly told us, however, that representation was needed at several levels, not just one: political, legal, individual and civil. However, all were explicit about the limits of national representation over individual rights.

In Gaza, we were told that it was the refugees' right to make decisions about their individual claims to their property. Abdullah Arabid (Hirbiya, Gaza) said:

My personal private rights state that nobody, whoever he is, is entitled to take a decision on my behalf. I am from the occupied village of Hirbiya. Nobody is entitled to sell, to let, to rent or to relinquish Hirbiya to anybody, on my behalf.

They all believed popular sovereignty and democracy was crucial to a representation over their rights, and that "no group has the right to challenge" the right of return. "Furthermore," Arabid said, "we consider any bargain or concession concerning these national essentials, which were ratified by international law, to be treason. The main authority to decide on such issues is people themselves, not some individuals."

The Commission notes that there was wide disparity between those who were fortunate in having active representation at a grassroots level in the camps, and places where there was no such adequate representation. Finally, the Commission noted that the groups able to make direct representations to their elected leadership were only those refugees in close physical proximity to them; those living in the Occupied Territories. Indeed the only group that the Commission met who mentioned petitioning the leadership were in Gaza. There was a deep concern amongst refugees in the Arab countries that they were not in a physical position or situation which would allow their voices to be heard by their chosen representatives, the Palestine Liberation Organisation, and they were seeking for means to correct this. This problem had developed, in their eyes, as a result of a protracted period of dispossession and dislocation, which indeed they are still suffering at this time. This was reflected in the then current negotiations.

Musa Abu Hashash of Fawwar Camp told us:

We as refugees feel that the right of return is underestimated against the issue of Jerusalem. This is what we feel when we listen to the media, and to the official visitors who come to the region. We feel that they will apply some bizarre solution that will disregard the right of return and all the Palestinian fundamentals, including the issue of Jerusalem. However, we are certain that they are going to disregard the right of return.

IV. Land and People

One of the features we learnt most quickly about the refugees was their direct and profound identification and attachment to land, and their self-identification with it as a people. This relationship was multi-tiered and multi-dimensional. The most obvious way it manifested itself was in how every Palestinian refugee we met introduced themselves to us as being from a specific village or locale.

According to Dr. Adnan Shahada (Yasur, Gaza).

For some of you, or for European logic in general, it is difficult to understand why some people have this strong attachment to a certain place. In Western culture, people move from one country to another, where they settle down and live their life. However, homeland has a great significance in Arab culture. It means belonging, self-esteem and history for the generations who live in that part of the earth."

Many of the refugees know about the homes they lived in and have managed to visit them, and taken their children to see them. In Bethlehem, at Aida refugee camp, we met Isa Qaraq'a (al-Biqā'). He, like many of the refugees we met, came from a village that was nearby, in his case not 7km away:

We went back to our villages one or two months ago. In one return visit to some

Palestinian villages we met Israelis living in our houses, the houses of our fathers and grandfathers. We were shocked to discover that some Israelis still keep some belongings of our fathers and grandfathers. And they had to admit: "This is your house". The features of the house were still as they were. In one of the houses there was still an amount of olive oil that was kept for more than 50 years in a well inside the house."

We remarked on the number of refugees who had their property records with them. They also showed us their identity cards, and other documents some had thought to carry with them on what they had believed would be a short absence from their homes during the heat of the fighting, 52 years ago. Ismail Abu Hashash (Iraq al-Manshiya, Gaza) told us about the closeness to the land even now:

There are five million Palestinian refugees in exile but not far from their land (the majority of them are living in countries neighbouring their homeland). They left and their dream was to go back when the war was over after two or three weeks. Yet a week became more than 50 years. More than 80% of Palestinians are still living in the region, a fact that speaks for itself. This is the biggest referendum confirming that their preference is the right of return.

V. British Role, Israeli and International Responsibility

From the start of the Commission's trip to the region, it quickly became apparent that being British had a special resonance amongst all refugees.

In Lebanon, Jamal Khaddura (Suhmata, Acre) said:

The main responsibility for our catastrophe lies with the British Mandate... I think that it is not difficult for you to understand the main root of Palestine's problem... Ten years after Balfour's promise in 1917, in 1927, the King sent a committee to go to Palestine to investigate the reasons for the disturbances there. The committee came to Palestine and met Arabs and Jews. They wrote a report on the main causes of the disturbances. So Britain knew what was happening in Palestine. You must convey our opinion that the British are responsible for the Palestinian Catastrophe. And you should call for another conference to help Palestinians to return to their homeland and live with Israelis peacefully.

They would begin with something like this, as put by Isa al-Azza (Tal al-Safi, Hebron):

The first point I want to make concerns the concept of this committee, which is the investigation of facts, and about this committee being British. If Britain, after 52 years, is still forming committees to investigate the crime of the expulsion of a whole people from their country, then what is there to say?

They also had a very detailed knowledge and understanding of the historical role Britain had played in the lead-up to the creation of the refugees' plight, even including specific dates of treaties, White Papers and Commissions of the Mandate Era. Al-Azza went on to say here:

I think if the world wants to investigate facts, then the world should be referred to the files of Britain; to the men who investigated facts in 1936, 1939, 1942 and 1945; to the White Book in Britain which Britain used to issue; to all committees that have been established in Britain; and to the round-table conferences that took place in London. They should be referred to the board of arbitration that was established between 1948 and 1950.

Thus we were seen to have both a special role and a special responsibility by Palestinian refugees; yet we were welcomed with a generosity of spirit considering the strength of feeling. Taysir Nasrallah (Qaqun) said to us:

Regardless of this revival of the Palestinian memory now in front of a British parlia-

mentary delegation – about the tragedy which Britain created for the people of Palestine when it contributed effectively to what happened in that period – regardless of that, I would like to welcome this delegation, who came here in order to conduct an enquiry into Resolution 194.

Key to the subject of responsibility for refugees for their situation was the unqualified conviction that nothing of substance could be discussed, or negotiated, or agreed, before an essential step was taken by the State of Israel. This was a recognition of the right of return of Palestinian refugees, and of their responsibility in the creation of what is commonly referred to as the “Catastrophe”. This was expressed by virtually every Palestinian refugee group and individual met, from Nablus to Beirut to Damascus.

Isa Qaraq’a again:

Before we speak about compensation and things related, we speak of the right of return. We have to speak about it in an emotional way, and, moreover we have to speak about it as part of the Palestinian identity and the Palestinian existence. There is the starting point. Do not try to wipe out our memory by pretending we are starting here only. We have gone through much pain and a long history.

Shaher Badawi of Balata camp said:

The first step is recognition of the right of return, by Israel and the international community, as the right of Palestinian refugees. When this is accomplished, then I can begin to look at the details, then it would not be a problem.

Ismail Abu Hashash said:

I would like to mention that acknowledging historical responsibility is an essential condition and starting point of this matter. The Israelis should admit what they have done, and the British should admit that they smoothed the way to this catastrophe.

However, the refugees also believed that, such was the international balance of power, the overall situation of the refugees’ rights and their future was not to be left to the parties to the conflict themselves, as their rights would be ignored. The refugees also expressed the belief that this was important since the responsibility for their situation was international in character. One said to us:

With regard to international credibility, we consider international law as our point of reference and we want to prove that the law is fair and to stop breaches of the law with respect to our problem. We need more active involvement from the world, particularly from the UK, as it was aware of all the issues before the occupation.

The framework for a viable solution had to be international in structure, an international body, which was based on a system of laws, and that there needed to be a number of states involved as well.

VI. UNRWA

There was a real fear amongst Palestinian refugees that the legitimate role of UNRWA as a basic defender of the minimal rights of refugees was being undermined. UNRWA’s identity was perceived to be threatened and its international legal character challenged by the current peace process, with no replacement as to its function on the horizon. Pressure of change to both its function and its role is seen by refugees as reflecting a receding commitment to the basic political, civil and social requirements of refugees. The mandate of UNRWA is understood by Palestinian refugees to cover merely part of their urgent problems, and it was well understood by the refugees we spoke to that this humanitarian relief organisation was not created to resolve the larger substantive political and civil issues of self-determination, sovereignty, or political

and civil rights.

Ismail Abu Hashash told us:

First I want to mention that UNRWA was established on the basis of the legitimacy and the worthiness of the Palestinian refugees' issue in the first place. The Palestinian refugees' issue is a political reality and not only a humanitarian situation.

Others spoke to us of the changing role of UNRWA. Haifa Jamal said:

The international community established UNRWA to support the Palestinians with basic services. Now UNRWA has started to reduce these services. We are suffering more and more... since Oslo, all the European countries, all the donor countries, have reduced their contributions, and sometimes they don't make their contributions at all. We are afraid now that UNRWA may leave.

Haifa Jamal went on to make another point that was often mentioned by refugees concerning UNRWA: its special place for refugees in the absence of any political resolution to their situation. "UNRWA doesn't just mean the services we need, but UNRWA is also related to our right of return." Thus the distinction between the humanitarian and limited aspect of UNRWA's role and their larger political plight in no way diminishes its importance in refugees' eyes. Indeed, given the lack of movement over these political rights, refugees saw UNRWA as having an increased symbolic importance.

Ismail Abu Hashash again:

We insist on the continuation of UNRWA – not because we like UNRWA, but because it represents the recognition of the international community for the issue of the Palestinian refugees."

VII Cohesion and Consistency amongst Refugees Views.

Most remarkable was the cohesion and consistency amongst refugees. Given the prominence certain refugees (like those of Lebanon) had been given over others in both the media, among experts and by those involved in the Oslo peace process, as well as the wide diversity of situations Palestinians found themselves in, the Commission was surprised and impressed by the unity of views on almost every issue of note for the refugees. Certain positions that could be seen to divide the refugees, since they involved a possible enhancement of their personal interests over other groups of refugees, were confronted outright by the refugees themselves.

Refugees all saw this commitment extending from generation to generation:

Camps were called shelters, and refugees still call them shelters until the right of return is achieved. I am holding on to my homeland for which there is no substitute. This right is inherited, from one generation to another. Therefore, I teach my children the geography and history of Palestine, and encourage them continuously to visit their home village... The right of return is an individual and a collective right.

Everywhere we went, refugees shared the view that the right of return must apply to all refugees, no matter what their current physical or financial position, wherever they were. Now living in Ain al-Hilwa camp in Lebanon, Hassan Abu Ali Hassan (al-Khalisa, Safad), said:

A few months ago some Palestinians, people of Palestinian origin living in Canada, came to see what was happening on the border, in the south of Lebanon (Israeli withdrawal from southern Lebanon in May 2000). This reflects the adherence of the Palestinians, wherever they exist, to their right of return to Palestine. The Palestinians are suffering since more than 50 years.

Further, the refugees all described their tragedy in the same way: it had a

humanitarian dimension, but it was political in nature. They spoke of and understood themselves as a people, no matter where they were now living, and showed an intense solidarity with the Palestinian refugees elsewhere.

Khalid al-Azza:

The main principle is that all Palestinians want this resolution to be implemented; that is the resolution of the right of refugees to return and to compensation for the 52 years passed since they left their land, houses and factories.

Isa al-Azza added:

I would like to tell the British team here that the right of return is not a dream, we are not dreaming. It is a right which is held by 5.6 million Palestinians.

Bridget Gilchrist & Karma Nabulsi, European University Institute, Florence, Italy, 20th February, 2001.

"We do not mind even to live with our Jewish neighbours, side by side. We were asked: if there was a settlement which was built on a Palestinian village, what would you like to do with it? The answer is simple, we will live side by side with the Israelis."

“Even if we end up with a state on every single inch that was occupied in 1967; even if we dismantle all the Israeli settlements in the West Bank and Gaza; even if we restore all the land of Jerusalem and have full sovereignty over East Jerusalem; if we have a 100% sovereign Palestinian state, in my opinion, this will never solve the basic element of the Palestinian-Israeli conflict – namely the issue of the refugees.”

General Remarks and Analysis

We would now like to raise a few significant points which emerged from the context of the Commission’s Enquiry endeavour as a whole, since our work on Palestinian refugees has lasted for an extended period of several months, from June 2000 until March 2001. The following issues surfaced from discussions not only with the refugees, but after relying on a large body of expertise which the Commission made use of from different specialist spheres: the interviews, workshops, meetings and briefings which took place both in London and Oxford University with various academics, and the discussions and briefings which took place during our visit to the Middle East.

Although the purpose of the trip to the region was primarily to meet refugees, the Commission was most privileged in being able to meet a number of high-ranking officials, government leaders, experts and heads of institutions who currently act on behalf of the refugees, and are primarily concerned with their welfare. The Commission has devoted a later part of this Report to a summary of the meetings which took place in the Middle East. Further, the Commission was itself made up of members of their party’s relevant Middle East Councils.

Current political views of Palestinian refugees

The Commission was deeply moved by the sheer scale of the tragedy of millions of people who remain trapped in transient shelters after such a long time. What everyone at first believed to be a temporary crisis has lasted 52 years. Generations have been born as refugees. However, the most unexpected discovery was that the refugees themselves have not remained suspended in time as regards their understanding of the political situation in the Middle East, and to the existence of Israel in particular. Rather, we found that the refugees have, on the whole, developed a pragmatic and realistic understanding of the reality that is Israel today, largely populated by a new people who have constructed a new society on their property. These developments deserve particular attention here, especially since the neglect of refugees’ views by those involved with the Oslo process has been, hitherto, largely based on an understanding of refugees’ attitudes as irredentist, intransigent and backward-looking, rather than either productive or constructive to peace and a reasonable settlement of the conflict.

Further, it is believed that these views are not well known amongst the Israeli public. The Commission believes that this point deserves emphasis. The refugees understood the changes on the ground in two ways: both the existence of a new political reality, and the understanding that the physical nature

of the land has changed, in some cases quite dramatically, in the last half century.

With regard to the first point, Taysir Nasrallah of Balata camp in Nablus told us:

I assure you that we are prepared to live under Israeli authority in the territories, towns and villages from which our parents and grandparents were expelled. I expressed this at a conference in Greece last year, that was attended by Palestinians and Israelis... The latter regarded me as an enemy of the Israeli people.

Ali Abd al-Rahman (Bayt Jibrin) said:

I want to say that we do not want to throw Israel into the sea, nor do we want to slaughter them or their children... Neither my brothers, children, nor I have done anything wrong to be prevented from returning to our house. We now live in tents and temporary shelters."

Although the refugees were well aware of their rights and this was combined with an awareness of the realities of Israel after 52 years, this acceptance is still entirely unknown by European, American and Israeli policy-makers of the Oslo peace process and the media.

Ismail Abu Hashash told us:

We should not repeat the mistake of the Israelis and make our existence in our land dependent on the non-existence of the people who are already living there. Israelis or Jews thought that their existence on the soil of Palestine meant the non-existence of the other. We do not consider that. We want the right of return as an individual and a collective claim to the land we were expelled from. We do not wish to tell them to leave, or for a fragmentation of their state.

The Intifada

The second comment we draw from the trip itself concerns the political stability in the region, and recent events which have unfolded since our visit. The Commission notes the surprise and dismay expressed by those involved in the peace process at the outbreak of the new Palestinian uprising which started at the end of September, not long after the Commission had returned from the region. However, after the group had spent only a few hours listening to the conditions and descriptions of the daily lives of the refugees, and further, once we had seen for ourselves their desperate political, social and economic situation, we came to quite the opposite conclusion.

The Commission found that, rather than seeking violence, the Palestinians had demonstrated an enormous restraint and patience over the last few years, in order to give the peace process a real chance. We all felt we were witnessing a powder-keg that was on the verge of igniting, both in the West Bank and Gaza and in the refugee camps elsewhere. Yet, in spite of the continuation of the refugees' plight, we found almost no sentiments of revenge. Rather, we remarked that there was an overwhelming desire for peace amongst all the Palestinians we spoke with, and desire to live at peace with Israelis. But they all felt that the peace agreement had to have a component of fairness to it, and had to be grounded in principles of international law which have been applied to other peoples, in particular those recently applied to the refugees of Kosovo. In Sidon, Haifa Jamal told us "the international community put pressure and obliged the former Yugoslavia to let the refugees from Kosovo return to their homes. We only ask the international community to implement what they created – UN resolutions which they made. If they implemented these resolutions, relevant to our cause, we would achieve our

rights.”

Representations

The third remark concerns the legal, constitutive and representational divisions between two Palestinian political bodies, and their specific roles and function *vis-à-vis* the refugees. The first is the PLO, which is seen as representing all Palestinians everywhere, whether outside the West Bank and Gaza or within it, with overwhelming support. The second is the Palestine National Authority, an appointed body, and its relationship with the Palestinian Legislative Council, elected by Palestinians inside the Palestinian territories in 1995.

The Commission found that the refugees outside felt that the concerns of Palestinians inside the territories were taking precedence over the concerns of the Palestinian people not resident in the West Bank and Gaza. None of the Palestinians believed this was a position taken by the Palestinian people themselves, or a declared or desired policy of the PLO. It was only that the peculiar constraints of the recent peace process had thereby constructed a role for the PNA in looking solely after the affairs of Palestinians inside, and in so doing, had functionally prejudiced the people outside in the refugee camps. The physical proximity of the leadership to their people, something basic in every democracy in the world (and indeed every national authority whether democratic or not), was something that is clearly missing in this instance, and with regrettable results. The Commission notes that the only Palestinian refugee groups who spoke of using popular means to address their leadership, through petitions and such, were those in Gaza, where the PNA and PLO leadership is located. This lack of equilibrium in basic political mechanisms has meant that there is a worrying decrease in legitimacy for those negotiating an agreement.

The Refugee Issue in the Context of the Oslo Peace Process

What the Commission saw and heard on the trip made it clear to them why previous efforts at tackling the refugee issue at the level of “multilateral tracks” met with such little success. At the start, cooperation from the refugees themselves is crucial to a comprehensive settlement. It has now become apparent to the Commission that the problem has been worsened rather than alleviated by the political neglect of the refugee issue by both regional and international actors. Not only have the refugees had no adequate voice in recent years, but the previous attempts by the US and Europe are now being widely recognised as having been both inappropriate and miscalculated.

These efforts have lacked authenticity and legitimacy amongst refugees, and this was pointed out by both refugees and officials to the Commission at almost every encounter during and after the trip. The refugees expressed concern that their views were either left out entirely or that they were misrepresented.

Kamal Suri in Gaza told us:

I hope our friends, members of the House of Commons, will convey our points of view in a clear way and not connect them with the other official opinions – as the one conveyed by the representative of the Refugees Committee from the Council of Europe in the European Union, Mr David Atkinson. Mr Atkinson of the Refugees Committee in the European Union conveyed an incomplete point of view, which only included officials and the official establishment. These groups only concentrate on their own inter-

ests and neglect their public's point of view – the views of the Palestinian refugees themselves.

Jamal al-Hindi in Bethlehem spoke of his "shock" at the contents of Atkinson's report.

In conclusion, the slow procedural work that the Commission began to embark on in June has demonstrated that the method of going directly to the refugees themselves, and encouraging their participation in the peace process (rather than avoiding them, as has hitherto been the norm), has revealed that a new set of answers are available. It has provided new paths to pursue, and opened up new possibilities for conflict resolution. Indeed, it is clear to the Commission that trying to skip over this long overdue process of acknowledging and recognising the refugees, their rights and the terrible situations they find themselves in, is what has directly contributed to the intransigence and depth of the problem that remains with us today.

Unfortunately this issue has been ignored as too difficult and intractable, and thus has been set aside for a future date, or a "final status" discussion which has yet to take place. This delay has contributed to the difficulties of finding a solution to the refugee tragedy, and to the breakdown of the peace process as a whole. The refugee crisis is twofold – it is not only humanitarian in nature, but it deeply political in nature as well. As to the solution, it clearly must be resolved in the political arena, with both political goodwill and political commitment.

Recommendations

In the earlier parts of this Report, the Commission set out the main findings which were established through the refugees' own testimony, together with some of our own views, which were drawn from further discussions we had with experts on the subject and officials in the region. Here we would like to propose the following recommendations for future action based on these two sets of findings.

The recommendations for future action are targeted at the different arenas in which the Commission feel the international community can play an immediate and positive role in the lives and futures of the Palestinian refugees. On the national and sub-national level, there will be recommendations to British NGOs. With the British government and other European governments, there are also opportunities to assist in concrete and practical ways. Finally, the European Union and its Commission can provide the resources for help in ways that are particularly suited to its structure. All these agencies and institutions have a role to play as responsible interlocutors with the Palestinian people and active promoters of peace and stability in the Middle East, which includes the reality of the millions of refugees.

Responsibility of the International Community and Britain, and ways to demonstrate commitment to resolving the Palestinian Refugee issue.

As to the British role in the creation of the Palestinian refugee crisis, the Commission feel some thought should be taken by the Government about expressing some commitment to a fair resolution to the tragedy of the Palestinian refugees. We were struck by the fact that all Palestinian refugees mentioned this to us, and as such ought not to be ignored by our Commission. The British Government might consider it particularly appropriate, at this time, to make some verbal gesture of acknowledgement of the historical responsibility that Britain bears for the creation of the refugee crisis that continues today. Although symbolic, this could help the Palestinian people towards a future, as well as showing the way that others might also acknowledge their roles in the creation of this catastrophe. The Government has seen how, in other former colonies, these gestures have done much to create a new foundation for future positive relations and possibilities. Much has already been said by Britain on the record, so this does not envision a precedent on the part of the British Government.

With regard to international responsibility, it is clear that in the past UNRWA has been the only institution which reflects this obligation. However, Britain still has a special role as former Mandatory Power, as does the international community which helped create this problem with the partition plan of 1947. We are pleased to note that there is an opportunity for Britain to help through a small, immediate, but practical measure. UNRWA has been specifically asking the international community for help with a vital project which Britain is particularly well suited to be the donor for funding, since it relates to documents of the original refugees who were dispossessed. The Families Files Project is devoted to preserving the original documents of those refugees dispossessed in 1948, which are now under threat of destruction through inadequate means of preservation. Given the particular role Britain played in the administration of Palestine up until its destruction, and the political commit-

ments it gave to the Palestinian people during that time, we think that the preservation of these documents would be a small but important gesture. This request for funds is being made by a beleaguered organisation which has been carrying out an extraordinary job for the last 51 years.

The Commission finds that UNRWA is at a precarious period of its existence, and it should be unmistakably apparent to everyone that there should be a real solution in place before its role is reduced. This undermining of UNRWA without a suitable replacement or solution is the largest current fear expressed by both its staff and the refugees themselves. There might even be a role in UNRWA for the secondment of a senior civil servant to a position there until such a time as a real settlement is in place. In all, the British Government can make a positive gesture to the Palestinian refugees who have been ignored, as well as to the institution which has given them basic services, by supporting this small but crucial task requested by UNRWA, as well as seeking means to enhance their role in the organisation.

Mechanisms of the Collective Will and Individual Claims for the Palestinian Refugees

The second is a multi-tiered recommendation, and is an attempt to address a few of the difficult problems the refugees now suffer as a result of the lack of basic mechanisms through which to make their voices heard. These recommendations come as a result of hearing the anxieties expressed amongst the refugees as to their being excluded from the official peace process. This has emerged as a result of their being, in fact, both structurally and functionally separated from the PLO leadership by the creation of the PNA, and the removal of the leadership of the PLO to the West Bank and Gaza. This problem has been further compounded given that the role and mandate of the PNA was restricted to the management of the West Bank and Gaza and the inhabitants of it, as well as to security responsibilities, all of which has proved an extremely complicated task.

The gaps left by these new structures, all of which have emerged since Oslo, and the shift of focus exclusively to the West Bank and Gaza, point to several aspects which the Commission believes need attention. The last seven years (and in particular during the run-up to the first Legislative Council elections of 1995) saw a tremendous surge of interest, expertise and donor money flooding into the Occupied Territories from the various EU member states, and above all by the European Union, in order to give badly needed assistance with the important task of constructing the institutional and social components of a democratic society. British organisations, such as the Westminster Foundation for Democracy, helped in the transparency procedures for these elections and in the training of several women candidates in campaigning. However, it is clear that non-governmental organisations, parliamentary organisations, and European governments could all help with the establishment of political infrastructures for the refugees now outside the West Bank and Gaza, so that they may continue to have much needed links maintained with their chosen representatives.

Finally, still in this area, the Commission of Enquiry has some suggestions for the European Union and the European Commission on refugee representation. We suggest that they might begin the task of investigating the creation of two distinct mechanisms required by both Palestinian exiles and refugees.

These structures need to address the two sets of concerns that currently pertain to the refugees, the one collective and the other individual. For the former, a mechanism is needed to enable the democratic decision-making procedures of the Palestinian people to be enhanced, through incorporating the views of the refugees in the camps. To this end the collective will of the Palestinian refugees, as well as the exiles, needs to play a part in any peace process in a positive and constructive manner. Thus the formation and management of a mechanism of the general (or collective) will of the Palestinian diaspora by the European Commission should be encouraged, and its role and functions need to be defined and considered in some depth. For the latter, the complicated issue of property rights, and of individual choice over return and compensation, needs to be addressed on an individual rights basis, and another structure will be needed for the successful administration of these issues. Models for both these institutional deficiencies are thus needed. In the case of the model for an institution which would process individual property claims, much work has already been done by both international and, in particular, Palestinian experts. For the model on collective will, very little work has been done, and the Commission of Enquiry would like to recommend to the European Union that its Commission begin to look at the theoretical and practical components of such a mechanism, since it is particularly well placed to do so.

Ernie Ross MP, Menzies Campbell QC MP, Neil Gerrard MP, Nick St Aubyn MP,
House of Commons, London, 12th March, 2001

"I am a teacher – I hear from my children how Palestine is in their hearts and they ask many questions about their villages. It is something that Palestine has created in the children. They ask from the first day they can speak about Palestine. I think generation after generation of our children will ask about the right of return to our homeland and our villages."

The Establishment and Procedures of the Commission of Enquiry

The Establishment of the Commission

The Joint Parliamentary Commission of Enquiry into Palestinian refugees was convened in response to a growing concern among many members of the House of Commons that the refugee issue was being dangerously neglected under the Oslo peace process. It was felt that insufficient weight had been accorded to the refugee crisis, bearing in mind the scale and complexity of the situation, the centrality of the issue, its significance in the peace process, and in the minds of Palestinians everywhere.

Purposes of the Commission

In order to address this perceived shortcoming, the JPMEC Commission of Enquiry produced a Concept Paper, which outlined the overall purposes and the legal guidelines of the project (see Annex: Concept Paper). This paper identified the principle of refugee preference and choice within the framework of UN Resolution 194, as the most appropriate structure and starting point. In order to facilitate the Enquiry, it was decided that the Commission should travel to the Middle East as soon as possible, in order to gather evidence directly from refugees themselves; asking them to refer to the Concept Paper and a series of questions regarding their rights in line with international law (see Annex: Questions to Refugees).

The purpose of the evidence-gathering exercise was to be able to provide a vehicle by which the views and concerns of the refugees with regard to the right of return could be communicated directly and authentically. Before the Commission left for the Middle East it had been suggested by the responses to the questionnaires that the Oslo process had left the refugees everywhere insufficiently represented, and had made little attempt to take their views into account. This was confirmed very strongly by the evidence taken in situ at the refugee camps. The refugees who took part in the Commission of Enquiry felt wholly outside the Middle East Peace Process.

An additional aim of the visit to the Middle East was to seek the views of those officials, governments, and organisations in the region that work closely with the refugee communities. The Commission recognises that the Palestinian refugee crisis is an issue which affects many countries in the region, particularly in those that have hosted the refugees for over 50 years. Any solution will involve the input and consent of all those host governments.

Principles guiding the Commission

The two main principles guiding the Commission were firstly, the historical and legal responsibility of the international community towards the Palestinian refugees and secondly, the principle of refugee preference. In forming the Enquiry, the Commission adheres to the common view that acknowledges UN Resolution 194 as the central legal platform upon which the Palestinian right of return is based. The Commission also acknowledges that this resolution is comprised of four separate components: repatriation, resettlement, economic and social rehabilitation, and compensation. The Commission established at the outset that these rights were not in dispute but in accordance with prevailing international law. Rather, the Enquiry decided

to focus on the specific modalities of preference and choice within the framework of these rights.

The Enquiry took as one of its guiding principles the notion of consent and inclusion. Palestinian refugees make up nearly two-thirds of the Palestinian people, and it was felt that for any peace formula to be successful, their involvement and consent would be essential. Solutions sourced in international law and based on popular consent are the hallmark of the current international system, and are strongly and consistently supported by the British Government, without exception, in its foreign policy positions.

Methods used by the Commission

The Commission of Enquiry was convened by the Joint Parliamentary Middle East Councils, which represents the Labour, Conservative and Liberal Democrat Middle East Councils in the House of Commons. The Commission was set up as an independent body comprising senior Members of Parliament, but acting independently from any political parties. The Chair of the Commission is Ernie Ross MP, and the other members are Menzies Campbell QC MP, Neil Gerrard MP and Nick St Aubyn MP. A secretariat was established, run by Bridget Gilchrist, Director of the Labour Middle East Council, in order to administer the Enquiry, as well as the production of the final report. The Commission also invited the help and support of Dr Karma Nabulsi of Nuffield College, Oxford University and of the European University Institute as the Special Adviser to the Enquiry.

The Joint Parliamentary Middle East Councils convened the Commission of Enquiry in July 2000 and prepared the Concept Paper as both a guide and outline for the project, together with a list of questions for those individuals, groups, and institutions who agreed to participate. All of the documents were translated into Arabic and forwarded before the Commission travelled to the region. Immediately after the Commission was set up, the Secretariat contacted the PNA and the Israeli Government via their missions in London, informing them of the project and making a commitment to forward the report as soon as it was complete. The Commission also made it clear that it hoped to be able to discuss the report and the recommendations with the various parties, as soon as possible after its publication. An open fund was set up, inviting private individuals and organisations to contribute to the many different stages of the project.

The 10-day evidence-gathering visit to Palestine, Jordan, Syria and Lebanon

The process of identifying interested groups and individuals in the region was complex. The Secretariat contacted a wide range of relevant groups and NGOs in the region for their advice on contacts from a broad political, social, and economic cross-section of refugees. The Commission took advice from the FCO, the PLO, Palestinian academics and experts on Palestinian refugees on who to approach. The Commission also took the advice of all the British Embassies and Consulates in the region. In addition, the Commission had lengthy discussions with the Governments of Syria, Lebanon, Jordan and the PNA; in the first instance in order to seek their cooperation for the project, and second to take their advice on who might usefully participate in the Enquiry at all levels.

The schedule for the evidence-gathering visit to the region was drawn up

with a view to giving preference to the participation of the refugees themselves. In line with the guiding principles set out in the Concept Paper, the views of the refugees would constitute the main evidence from which the Commission would draw its general conclusions and make its recommendations. The first priority therefore, was to take evidence from individual refugees in Palestine, Jordan, Syria and Lebanon.

The Commission was conscious of the need to establish the representativeness of the evidence taken in so far as this was possible. With this in mind, they asked questions about the type of organisations that were represented at the meetings, how they were constituted and what their aims were. It was felt that it would be critical for the Enquiry to be able to give an indication of how widespread the views were, but also importantly to begin to assess some of the difficulties that might be encountered when trying to canvas the opinions of such a large and highly dispersed refugee community.

The evidence was taken in different forums and with different methods of translation. In all of the meetings, translation was available for those who felt more comfortable giving their evidence in Arabic. The Commission feels confident that due to the translation of the basic documents and detailed translation during the meetings, all those taking part felt that they were communicating their views accurately. All the evidence that was taken as primary evidence (i.e. from refugees themselves) was recorded in order that it might be transcribed verbatim. This was made clear to all those who took part and it was stressed that everything recorded would be faithfully transcribed into the report. We set great importance by this commitment, because as became apparent, the refugee communities have reason to be distrustful of reports and research that has claimed to represent their views in the past and with which they have taken issue.

Finally, the Commission also met with Government officials and the organisations and institutions that work in the refugee communities. For the purpose of the report, this evidence was seen as supplementary, and not recorded. Summaries of those meetings can be found in the same part of the report as the refugees' testimony, in the order of the country visited.

A Note on the Material

There were two types of evidence gathered on the trip to the region and presented in this section. They were taken in both Arabic and English, and have been transcribed where necessary. Before the start of each meeting, the Chair of the Commission began with a brief explanation and a reference to the Concept Paper, and where relevant, questions that had been sent ahead of the Commission's trip (see Concept Paper, Questions, both in Annex). These initial comments by the Chair are not reproduced in this section.

1. Oral submissions. From the refugees, whose words make up the bulk of this report, oral testimony was taken, as well as a few written statements. With the oral evidence, in the rare instances where it was not possible to take the evidence verbatim, this is indicated at the beginning of the person's evidence. Of all the commentaries taken in the four countries, only four refugees have remained unidentified, and this has been signalled in the text.

2. Summarised material. These submissions are from meetings with officials, institutions, organisations, individual experts and political leaders. The material here is only summaries of meetings, which were not testimonies and therefore not reproduced verbatim. Some were taped, and at others only notes were taken.

3. All those who gave evidence are listed. The town or village of origin, as well as the Mandatory district, is placed after their names in brackets.

Evidence Taken in the West Bank and Gaza Strip

Aida Refugee Camp, Bethlehem, 1st September 2000

PARTICIPANTS:

Abd al-Fattah Abu Surur — Bayt Natif
Sulayman al-Fahmawi — Um al-Zaynat, Haifa
Khaled al-Azza — Bayt Jibrin, Hebron
Isa al-Azza — Tall al-Safi, Hebron
Taysir Nasrallah — Qaqun, Tulkarm
Jamal al-Hindi — al-Mansi, Haifa
Isa Qaraq'a — al-Biqa', Bethlehem
Ismail Abu Hashash — Iraq al-Manshiya, Gaza
Salim Abu Hawash — Bannaya, Hebron
Khaled Mansur — Um al-Zaynat, Haifa
Muhammad al-Lahham — Bayt Itab, Jerusalem
Amna Ghanayem — Tall al-Rish, Jaffa
Amal Jado — al-Maliha, Jerusalem
Bassam Naim — Yazur, Jaffa
Musa Abu Hashash — Iraq al-Manshiya, Gaza
Afif Ghatasha — Bayt Jibrin, Hebron
Bassam Abu Akar — Ras Abu Amar, Jerusalem
Atallah Salem — Dayr Abban, Jerusalem
Dr Adnan Shahada — Yasur, Gaza
Imad Shawish — Qanir, Tulkarm
Muhammad Jaradat — (non-refugee)
Muhammad Hilqawi — Bayt Jibrin, Hebron

Dr Adnan Shahada:

Good evening. Despite all the military barriers and bridges, the checkpoints, that you went through and which we have to go through daily, we hope that your journey from Jordan was not too exhausting. I am not going to introduce our guests from the delegation because they are going to introduce themselves. On behalf of the public institutions in camps, the camps of the West Bank, we welcome the delegation, which is here to investigate the preferences of the Palestinian refugees.

It is a British parliamentary delegation. We welcome you here because we are conscious of Britain's role it was the mandatory state. We are aware of its close connection to the issue of the refugees. I would like to introduce Dr Abd al-Fattah Abu Surur, who will welcome our guests on behalf of the camp of Aida, which is only a few metres from a colonisation fortress – a settlement, built over the mosque of Bilal bin Rabah, whose name was corrupted and changed into Qubbat Bahrain.

Abd al-Fattah Abu Surur:

Let me welcome you on behalf of all Palestinian refugees, on behalf of the Palestinian refugees of Aida camp and on behalf of the activity centre where we are now. The camp is called Aida, surely you are familiar with the name Aida, the opera by Verdi, you remember it, the tragedy. Aida camp is a tragedy of another type. Aida can also mean "one who would return". And it is the dream of all the people here to return to their villages of origin, to return to the lands they were forced to leave. Aida is a refugee camp created in 1948. It has about 3,500 inhabitants from some 23 different villages. This youth centre was created in 1968 and it is the main institution for coordinating activities in the camp. We have other institutions now, like the Martyr Amal Centre, and we have two schools, one for boys, one for girls. Our camp is small. It is on the borders of the Jerusalem, about ten kilometers from the centre of Jerusalem,

and Bethlehem Districts.

So it is a hot spot! I would just like to welcome you and hope you will recognise your responsibility for what happened to our country and maybe share it with the French, as in the Sykes-Picot Agreement, not to mention the Balfour Declaration which created a Jewish country on our land. And we thank you for finally realising that you have played a major part in it, and that in a way you are responsible for what has happened here. Thank you for coming to hear what we have to say.

We will start the first round. This is comrade Sulayman al-Fahmawi, who lives in Um al-Fahm, which is within the territories of 1948. He is of Palestinian origin, and was expelled from Um al-Zaynat.

Sulayman al-Fahmawi:

I have been waiting for 50 years for you to give me five minutes to speak. I am Sulayman al-Fahmawi, from Um al-Fahm. I was expelled from the village of Um al-Zaynat within the 1948 territories, a Palestinian village and one of the 530 villages which were erased in 1948.

Our villages were demolished by the armies of the occupation, following the end of the British Mandate that handed over this country to the government of Israel. I represent the Organisation for the Defence of the Rights of Displaced Palestinians within Israel. This organisation was established seven years ago but only gained legal and official recognition in Israel two months ago after a long paper war with the Israeli courts. We were forbidden to register our organisation because of its aim, namely to work towards the return of the dispossessed people and the refugees to their original villages in our homeland.

There are still 250,000 displaced Palestinians living within the Palestine of 1948, i.e. Israel. Those are the ones who remained in their homeland. Nevertheless, they were expelled from their villages and had to find shelter in neighbouring villages. Additionally, a large section of those who were expelled from the area within the borders of 1948 managed to return to their country secretly. They are now living in historical Palestine but not in their villages of origin. Their demand, their only hope, is to return to their homes. Our situation, of course, is very different from that of the refugees living in the diaspora, whether they are in the West Bank, the Gaza Strip, Jordan, Syria, Lebanon, Iraq, Europe or America. All over the world, in every corner of it, there are Palestinians. Our situation as people living in the territories of 1948 is different because we are considered citizens of Israel, holding Israeli identity cards. Today our demand from the government of Israel as citizens of this state is that we should have the right to return to our villages. The right of return applies to everybody, whether in the diaspora or inside Israel. As for ourselves, the people inside, we will never relinquish the right of return.

And if you ask any of these people about their only demand, they will tell you that it is to go back to their places of origin, nothing else. In a letter we sent to the Israeli government, we informed them that "if you are willing to make peace, peace should first be made with all Israeli citizens", i.e. let the displaced return to their villages.

This is a feasible option. New houses have been built on only 20% of the 517 villages that were destroyed in 1948. No one lives on the land of the remaining destroyed villages. But the demolition continues. For the most recent example, six weeks ago, in a village called Sarafand, which lies on the coast, a mosque was demolished. Israel pursues this policy in order to destroy any evidence referring to the Palestinians who lived there. Their intentions concerning the Palestinian issue are well known to us: they claim to be seeking a fair solution, a peaceful solution, a final

solution, as well as temporary and contemporary solutions.

We think it is time to stop talking about figures, because this diverts attention from our real aim, which is to return. Ordinary people have one demand – to go home. We have no disagreement or dispute about that. We do not mind living with our Jewish neighbours. In one interview we were asked, if there were a settlement built on a Palestinian village, what would you like to do with it. The answer is simple: we will live next to the Israelis. If the area was 50,000 dunums, and 10,000 were left, we would take 10,000 and keep to them. We are not inclined to exterminate people. Rather, we will live by their side. And this is feasible. For instance, the inhabitants of Israel live today on only 20% of its land area; the remaining 80% is uninhabited.

We also seek compensation for all the damage done to our properties, as would be expected anywhere else in the world. The Israeli government demands reparations from World War Two and even further back in time. Don't Palestinians have this right?

Thank you for your concern about this subject, even though you were the reason for all this.

Ernie Ross MP:

Just for the record, you said that the right which the displaced Palestinians want to exercise is return and restitution?

Sulayman al-Fahmawi:

Yes, this is what I said. They want return and restitution.

Khaled al-Azza:

I am a member of the political bureau of the Palestinian Popular Struggle Front. I am from the village of Bayt Jibril in southern Palestine, 17km from Hebron.

I will address the topic of historical responsibility. I am convinced that there is not a single Palestinian who does not remember the historical responsibility of the British government since the Balfour Declaration. The Balfour Declaration is the basis of all conflict in the region, for it allowed Israel to take Palestine. But the Israelis did not have the right to do this, nor did Britain have the right to give it to them. They did not own this land. UN Resolution 194 has two points: return and compensation. Return means going back to our homeland. There are two dimensions to compensation: the first is compensation for 52 years of compulsory exile and humiliation by the Zionist movement in Palestine. The second is compensation for the properties which the Palestinians left behind, homes, farms, factories, land.

I will discuss the right of return with reference to UN Resolution 181, by which Palestine was divided into Jewish and Palestinian states. Hence, if there are Palestinians who do not wish to live under the Jewish state, we will look at compensation for them in the context of the Palestinian state as defined by Resolution 181. I am talking about the historic right that has to be applied to future generations. This right has been spelled out in the resolutions issued, especially General Assembly Resolution 273, in which the Israeli state pledged to implement Resolutions 194 and 181. Even the resolution which established UNRWA specifies that the Agency will take care of the refugees until they return to their homeland in accordance with Resolution 194. Consequently, no Palestinian will accept any solution other than the implementation of Resolution 194, which is a sacred, legal right and a political right, and further the right to citizenship in his homeland.

However, as for the paper presented, the second page of this paper talks about

Israel's right to peace, but it does not talk about the right of Palestinians to peace and stability. The last point talks about a country. The first question reads: "compensations or properties?" We say the right of return cannot be divided. We should take it as a whole unit according to the relevant resolutions of international law.

Thank you.

Neil Gerrard MP:

You said there might be some people who would not wish to live within the State of Israel but would prefer the option of compensation and being able to live in the Palestinian state. Could you give us any indication about how many people prefer that option?

Khaled al-Azza:

There is no definite number. There is the political resolution about the right of return – Resolution 194, and Resolution 181 concerning partition. Perhaps some do not want to be under Israeli rule, and in their case it will be possible to talk about compensation and to settle them within the Palestinian State as defined by Resolution 181, but there is no definite or known number at the moment. However, the main principle is that all Palestinians want is for this resolution to be implemented; that is the resolution of the right of refugees to return and to compensation for the 52 years spent away from their land and property.

Isa al-Azza:

I would like to welcome everybody. I am a member of the Palestine National Council. I come from a village 40km from Bethlehem called Tall al-Safi, a destroyed village. We were expelled and forced out at gunpoint in 1948. I was twelve years old at the time.

The first point I want to make concerns the concept of this delegation, which is the investigation of facts, and about this delegation being British. If Britain, 52 years on, is still forming committees to investigate the crime of the expulsion of a whole people from their country, then what is there to say? I think if the world wants to investigate facts then the world should be referred to the files of the British government, to the men who investigated the facts in 1936, 1939, 1942 and 1945; to the White Book in Britain which Britain used to issue; to all committees that have been established in Britain; and to the round-table conferences that took place in London. They should be referred to the board of arbitration that was established between 1948 and 1950. I consider the visit of our honorable guests to be a visit by a parliament and a people. I also consider the visit to be a message that the British conscience has started to wake up. I do not consider it to be about investigating facts because all the facts are already there in Britain. All of them are in the British Mandate files. Britain knows all the aspects of this crime and the parties to it.

However, we welcome you as a parliamentary team, and we welcome you as explorers of the truth who have come to see if these people have forgotten their homeland after 52 years. Did the British forget about the Falklands? What I want to explain is the general Palestinian stance, which says "no referendum on the right of return". It means we, the general public and national institutions, reject the idea of a referendum. No matter what questions are put, whatever organisations carry it out, whether they ask about the right of return or about resettlement. This is a very unfair process. It would be like you having a referendum to ask people if they are British or not. Did Britain carry out a referendum for the people of the Falklands before claim-

ing the islands back? This is the question. If this referendum is about the right of return, then it is rejected publicly, nationally and politically, as well as by the Palestine National Council.

The third point here is that I disagree with other comrades on the way they see Resolution 194, which includes the right to return. This resolution is a rectification of the violation of human rights as set out in the Geneva Conventions, which prohibit the expulsion of a citizen from his land by force, preventing him from going back to his own land and denying him freedom of movement. In 1948, human rights themselves, the Declaration of Human Rights, all political and national agreements and all human values in the world were violated. Therefore, the right of return is a statement against this violation because it allows those who were expelled from their land to return. I would like to tell the British team here that the right of return is not a dream, we are not dreaming. It is a right which is held by 5.6 million Palestinians. The peace agreement will be in jeopardy if the right of return is not implemented completely and applied to the 5-600,000 refugees; and if they are not allowed to go back to their homeland and to get moral and material compensation. Those are their rights.

What Israel is saying about us, that we are going to destroy Israel, is not true. I live in Haifa, in a 20-floor building. I live in one room on one of these floors. The only right that I have got is to live in this space in this building full of strangers from Germany, Canada, the US and so on. This is one of my rights, to live in this building, so I will not destroy this building or throw these people into the sea. Contrary to what Israel says, I want to live peacefully side by side with the Israelis in my homeland. When I say that I want to return to Palestine I do not mean that I want to return by force, but by peaceful means. When I ask for many millions to return to their land I am not asking for sovereignty for the Palestinians. I am not demanding a Palestinian state within Israel. For the Palestinian state will be in the West Bank, Gaza and Jerusalem. This will be a historic opportunity for Israel because return means return under Israeli sovereignty and is therefore no threat to Israel's security.

Taysir Nasrallah:

I am from the village of Qaqun, in the Tulkarm area, a village which was destroyed completely in 1948. I live in Balata camp. I am a member of the refugee committee on the Palestine National Council, as well being director of the Jafa Cultural Centre and a member of the board of Badil organisation.

Regardless of this revival of the Palestinian memory now in front of a British parliamentary delegation – about the tragedy which Britain created for the people of Palestine when it contributed effectively to what happened in that period – regardless of that, I would like to welcome this delegation, who came here to conduct an enquiry into Resolution 194. We say that Resolution 194 does not necessitate a referendum among the Palestinian people. Resolution 194, which was adopted by international law, is the only reference for Palestinian refugees in their demand for a fair solution of their problem. We consider ourselves guests on the territories of the Palestinian Authority, whether in the West Bank or Gaza; the same as Palestinians in Lebanon, Syria or Jordan consider themselves guests of the peoples of these countries. We also, the inhabitants of the West Bank, are refugees. We consider ourselves guests until our problem is solved. We do not consider any solution to this problem until those who want to can return to the villages which were destroyed in 1948, and are given compensation for the moral, psychological and material losses Palestinian refugees have suffered since 1948. From my point of view, if this is not going to be implemented then it will be impossible to speak about peace here in this region. You

know that the percentage of refugees among Palestinians in the diaspora and in the territory of the Palestinian Authority is 65-70%. It is impossible to speak about any peace settlement or security in this region for the Israeli state or for others. I think this will be impossible to achieve because those refugees who have been suffering since 1948 in camps and tents will not accept any solution that does not solve their problem. I insist that return, restitution of all properties and compensation are their only choice.

Ernie Ross MP:

In the peace talks that are being held, are you confident that the views of the refugees are being adequately expressed?

Taysir Nasrallah:

We are following what is happening in the negotiations, but we do not hear the voice of the Palestinian refugees in these negotiations.

Ernie Ross MP:

You said you do you not believe that a referendum is the appropriate mechanism for determining this very important issue. Do you have in mind any mechanism that might be fairer in your view to resolving the issue?

Taysir Nasrallah:

You are meeting a group of representatives of the camps. Whether representatives of institutions, or members of national or legislative councils, they represent a great part of the refugees and I think that their preferences, suggestions and opinions are important. As for a referendum, which will involve all the Palestinian refugees and investigate their opinions concerning the right of return, I think that all Palestinians will say "yes" to the right of return.

Nick St Aubyn MP:

One of the questions that we asked is: have you discussed within your organisation and with your members the right of return and what this would mean in practical terms?

Taysir Nasrallah:

I was speaking about practically implementing Resolution 194, which I said comes as a second step to this resolution. I was going to speak about the availability of this mechanism. However, in the institution that I belong to, the Palestine National Council, there are several resolutions that were kept during all the successive committees in the Council. These resolutions acknowledge that the Resolution 194 is the only resolution that is efficient in solving the issue of the Palestinian refugees. As for practical implementation, I would like to refer to Dr Salman Abu Sitta, who is an expert in refugee affairs and who says that this is viable and possible. We, the Palestinian refugees, do not want to destroy the Israeli state, we only want to live in it as citizens, and we want to return to our villages and to live under Israeli law. This contradicts the fear of Israelis who say that we want to destroy Israel. We see Israel bringing Ethiopians and other people who are not Jews into Israel and settling them on our land. This is happening under the pretext that they have a pure Jewish state. In the past we witnessed how they brought Jews from all over the world to live on Palestinian land. This is what the Palestinians who live in camps, those who did not

live in their villages such as myself, saw and heard about. I did not live in the village of Qaqun, which was destroyed, but my father and grandfather lived there and felt humiliated when they witnessed those people coming from Russia or other countries, living on our land and on our properties. This is in contradiction to all the values of the international community.

Jamal al-Hindi:

I am a Palestinian refugee from the village of al-Mansi, in the province of Haifa. I was born in Jenin Refugee Camp ten years after the Catastrophe of 1948. I am now the head of the parliamentary committee of refugees in the Palestinian Legislative Council, and a member in the PLO Central Council. I am also the director of the Union of Youth Centres in the camps of the West Bank.

I would like to welcome the parliamentary team. However, I want to remind you that it is our national duty to be frank and honest in telling you the truth about the conditions that the Palestinians have lived through over the past 50 years.

Certainly, we all witnessed the circumstances created by Britain before 1948. Some of you in this team and some of us witnessed that, whereas some of us were born after it. So if we want to speak about the present, to build the future and to define visions for it, we should speak about the past as a basis from which to go towards the future. We are now talking about one of the most complicated issues, which is the issue of Palestinian refugees. The essential part in it is the right of return as a sacred right. It cannot be violated and will never lose its validity in the course of time. It is based on our natural and legal rights according to the International Declaration of the Human Rights, Article 13, of 1948. Resolution 194 confirmed this right. Thereby a right that existed beforehand was being confirmed. In this age we are speaking about human rights and that we should support them. I think that being in favour of this right is justice itself. Concerning the question the delegation has raised about the number of Palestinians who do not want to return, I would say that the number of martyrs and the amount of sacrifices Palestinians have made since 1948 are the real indicator of how firmly Palestinians and the Palestinian refugees hold to their right of return to their land and property according to Resolution 194. Resolution 194 includes four elements: 1 – return; 2 – establishing a condition of stability and peaceful coexistence; 3 – social and economic rehabilitation of the refugees who return; 4 – compensating the Palestinian refugees for moral, psychological, social and economic damage that occurred to them during 52 years or more, as well as for damage that occurred to their properties.

There were many attempts in the past to implement the right of return according to Resolution 194 through the committees that were formed by the United Nations, of which the mediator, the Count Bernadotte, fell victim to Zionist gangs who assassinated him. Resolution 194 was issued as an interim solution for the Palestinian issue and it did not give us all our rights, only the minimum of our rights. It is impossible for us to give up the minimum of our rights, spelled out in Resolution 194 and the right of return for Palestinian refugees. We appreciate very much the efforts which are being made by this delegation, but we wonder, and it is our right to ask, are the resolutions of international law considered one unit or can they be taken separately by the UN and the Security Council in drastic situations? Why is Iraq now bombed by American and British planes? Does that not happen because Iraq did not abide by resolutions of the Security Council and international law? Why have these authorities not made use of their power over the past 50 years to put pressure on Israel and force it to abide by Resolution 194?

Isa Qaraq'a:

I am from Aida camp, originally from the village of al-Biq'a' 7km from Bethlehem. To begin with, I feel that you came to put questions to the victims. We are victims of the war, victims of the occupation. The question revolves around the right of return. This means that the equation, as you put it, is the wrong way around. You should ask the Israelis, the government of Israel, whether they acknowledge the right of return in Resolution 194, and whether they acknowledge their moral responsibility towards the suffering of the refugees. In my point of view, your questions are based on the Israeli vision, which says: "no right of return, we will not apologise and we will not admit responsibility for the suffering of the refugees." I want to discuss the details that I think are wrong and have made me very suspicious. The second point revolves around the form of the questionnaire presented to us as a whole. It has given us the impression that we are starting from point zero. Yet our issue is about demanding the Palestinian refugees' right of return, which has been represented by the PLO for 50 years. It is a very well known demand. It is a natural right, a fair demand from the Palestinian people.

The questions you ask, looking at it as a whole or only at individual questions, remind us of other delegations who came to Palestine before the tragedy started escalating from 1937. However, the aims of these bodies did not lead to any form of justice. Consequently, victims should not be asked since this issue, realistically speaking, is related to the present distribution of power in which the victims do not play a part. As a matter of fact, the power is known to be on the side of Israel. We are victims but the present power is not going to accomplish our rights, nor it can impose justice. Before we speak about compensation and things related, we speak of the right of return. We have to speak about it in an emotional way and, moreover, we have to speak about it as part of the Palestinian identity and the Palestinian existence. This is the starting point. Do not try to wipe out our memory by pretending we are starting here only. We have gone through much pain and a long history. We are not strangers, we are not newcomers to Palestine, unlike the Israelis. We have already accomplished our return. We went back to our villages one or two months ago. In one return visit to some Palestinian villages we met Israelis living in our houses, the houses of our fathers and grandfathers. We were shocked to discover that some Israelis still keep things which belonged to our fathers and grandfathers. And they had to admit: "This is your house." The features of the houses were still as they were. In one of the houses there was some olive oil that had been kept for more than 50 years in a well inside the house. These are realistic and tangible issues. At that moment we sensed that they felt like strangers in that house.

The right of return is an issue which needs a long process to solve. However, it is not an impossible one as some like to propagate. There are some who lie and say that we want to destroy the Israeli state. We accept coexistence and we accept peace. There is a possibility for return and coexistence.

However, Israel should admit responsibility for what has happened to us in the first place. It should also acknowledge Resolution 194. Only after that we can discuss all the practical details and mechanisms. I was born in Aida camp and have grown up in it. I hate the camp. The older I get the more I hate it, and the more I hate the camp the more I hate the Israelis. Sometimes I wonder who is responsible for all this, for making me live in a small house in a small camp. I look around and see poor miserable streets, standing in a queue of refugees in front of the UNRWA offices to get food. Refugees give birth to children who do not have a garden, a yard or any place to play in. Who is responsible for that? I have lived through extremely hot weather

and extremely cold weather in this camp, and I always ask this question. The Israelis are responsible. I am not speaking emotionally, but the more I hate this camp the more I hate the Israelis, because I consider them responsible for that, for me living in this camp.

Ernie Ross MP:

We are not here to debate the rights of the Palestinians. We accept their rights and know what their rights are. We certainly did not come here working within any Israeli view. We are trying, as sensitively as we possibly can, to work with Palestinians in the West Bank and Gaza, in Lebanon, Syria and Jordan, and to ask them to express their preference within their rights which are established by 194. That's what we are trying to do. Hopefully for the second part of the dialogue you can tell us about representativeness. For we believe it would have been wholly inappropriate to ask the Israelis about your rights.

Ismail Abu Hashash:

I am general secretary of the UNRWA Employees Union in the West Bank and an activist in the Committee for the Defence of the Right of Return in the south of the West Bank. I am from the camp of al-Fawwar in the southernmost part of the West Bank. I am originally from a village called Iraq al-Manshiya. It was wiped out, and an Israeli town, Kiryat Qat, was built on its ruins. After the declaration of the State of Israel, its people were expelled by force. The village withstood the attacks at that time because it was protected by the Egyptians, who were in charge of the popular resistance. The residents were forced to leave after the Egyptians and the resistance withdrew. When most of my family had to leave, my grandfather refused to join them and stayed behind. After four days my uncle went back to check what had happened and he found his brother dead in the house. If the question is about the preferences of the Palestinians, on an individual or a collective level, then I would say in a nutshell: the consensus is to return. This is obvious to me as a member of the Committee for the Defence of the Right of Return, as well as through my other activities. It is not for myself only, and not to express an emotional stance. I see it rather as a compromise. If we go back only 50 years in history we see that then it was not a compromise but rather to the advantage of Israel. However, under the current circumstances, we consider it to be a compromise, if applied in all its requirements and all its details. And this is a practical solution. Europe knows full well that solutions based on temporary arrangements, and which are founded on the balance of power – i.e. favouring the strong – will collapse after a short time. I do not want to remind you that World War Two was an extension of World War One. There are five million Palestinian refugees in exile but not far from their land (the majority of them are living in countries neighbouring their homeland). They left and their dream was to go back when the war was over after two or three weeks. Yet a week became more than 50 years. More than 80% of Palestinians are still living in the region, a fact that speaks for itself. This is the biggest referendum confirming that their preference is the right of return.

I will move now to the subject in question, which is about working towards establishing a settlement concerning the right of return in practical terms.

The aims of the Europeans and the Americans are evident. They are trying to promote the Israeli point of view about the right of return, meaning the right of return would imply the destruction of Israel. They are trying to maintain the status quo with their bargaining power. It is evident that the world, including Israel, comprehends short-term solutions better than history has taught us. On this basis I would say that

the right of return is a practical solution which could defuse the situation. Practically speaking, I demand the right of return for every Palestinian whether they want to return or not. We should not repeat the mistake of the Israelis and make our existence in our land dependent on the non-existence of the people who are already living there. Israelis or Jews thought that their existence on the soil of Palestine meant the non-existence of the other. We do not believe that. We want the right of return as an individual and a collective claim to the land we were expelled from. We do not wish to tell them to leave, or for a fragmentation of their state, but facts will be established on the ground (truth will prevail).

I would like to mention that acknowledging historical responsibility is an essential condition and starting point of this matter. The Israelis should admit what they have done, and the British should admit that they smoothed the way. This is the point of view of the intellectuals. Looking at Israeli intellectuals and academics, they also have started thinking in this way. Politicians do not accept this approach, but academics think that this is the practical way to end the conflict and ensure peace.

Salim Abu Hawash:

I am the administrative director of Badil Resource Centre for Palestinian Residency and Refugee Rights. I should represent the view of my institution but I want to speak about myself as a Palestinian refugee. I live in a Palestinian village in Hebron District. Our town of origin is called Bannaya, which lies about 12km from Dura and 2km from the 1949 armistice line. I remember when I was child that when my family experienced any kind of problem, financial or psychological, my father and mother used to wish for a return to the home village, Bannaya. I am one of seven. My brothers, their families and myself number 63 people. We all own about 2 dunums of land only. My father and grandfather owned about 450 dunums of land, lying only 2km from the armistice line of 1949. When my mother and I visited that land in our home village for the first time, my mother broke down and cried. It was the place where she was born and grew up in. She refused to go back to the house where we live now. The place does not appear on the maps of Salman Abu Sitta. It is neither mentioned in Resolution 194 nor in any other international resolution. Our town lies 50km from the nearest Israeli town. A real village, which still has the same features, on the same land and the same wells, and the demolished houses. Now I cannot understand when somebody asks me if I want compensation or to return to that land. All we know is that, when somebody wants to buy a house or a piece of land from somebody else, he bargains with him. The landlord or the landowner would say if he was willing to sell. But when an armed group enters the house and expels him and tells him, "take this instead of the house, as a price for the house or as compensation for the house or the land", then it is a violation of his human dignity as an individual. I cannot accept this and we cannot accept any reconciliation with Israel unless they declare officially, and admit to me, that they expelled me from my house and my land and that they are willing to deal with the problem now. Now I am willing to go there, and to live there in a tent even for one day and then to die on that land which stands for my national and human dignity.

Khaled Mansur:

I am a member of the central committee of the Palestinian Peoples Party, and within that party I work on refugee affairs. I was born in the camp of al-Far'a and still live there. My original town is Um al-Zaynat, on the slopes of Mt. Carmel near Haifa. A part of my family still live in Israel, some live in the West Bank and others live in the

diaspora. I insist on living in the camp, in spite of the difficult conditions there, and in spite of having the opportunity to live outside it. This is for a political reason, which is to maintain the legal and the political characteristics of the camps as temporary residence for refugees until their return. Camps were called shelters, and refugees still call them shelters until the right of return is achieved. I am holding on to my homeland, for which there is no substitute. This right is inherited, from one generation to another. Therefore, I teach my children the geography and history of Palestine, and encourage them continuously to visit their original town. I demand return, living on my land and restitution of my properties, even though I am aware that I would have to hold Israeli nationality as a consequence. The right of return is an individual and a collective right and we have properties in our hometowns and all the documents concerning this issue are in the hands of the institutions of the British Mandate.

Since you are talking about preferences, you should ensure the freedom to choose them. My only preference is the right of return, and the restitution of properties. First of all, we demand that Israel acknowledges the right of return, and only after that it will be possible to talk about scheduling the times of the return of the refugees, under an international guarantee. Return will be to the original homes, and not to the area under the Palestinian Authority. We are asking the world to help Palestinians to achieve the right of return, as they have helped East Timor or Bosnia. Refugees will never accept any political solution that does not ensure the right of return. In my point of view, the issue of Jerusalem is not more important than the issue of return.

Britain is responsible for many issues, including the following. Firstly, state properties were transferred to Jews under British rule. Jews did not own more than 8%, but the mandatory authorities transferred to them the ownership of state lands. Secondly, there are some lands, such as the land of the American Embassy in Jerusalem, which is Palestinian land and the mandatory authorities rented it. The rent was paid to the Palestinian families who own the land, yet America is going to set up its embassy now on this land. The last point is about the Palestinian money which was deposited in the Bank of England before 1948. This money has not been paid back to the Palestinians.

Muhammad al-Lahham:

Before introducing myself, I would like to speak about what we, the Palestinian people in general and the refugees in particular, believe. Honestly, I hope that this delegation will not be similar to the many other committees, institutions and scenarios which the camps are exposed to these days. The aim behind those scenarios, during this stage in particular, is to insist on carrying out referendums in the camps. The bulk of refugees are used to giving the Israelis an assurance and an appeasement, a sense of security.

In fact, I did not come here to give the Israelis a sense of security. I am speaking here because I have certain rights to talk about. I am not speaking in front of people coming from another world. I am speaking in front of people who are the reference of any researcher, scholar or expert. International law concerning land ownership is related to the crisis of the Palestinian people, and to the issue of refugees in particular. The British have formed plenty of committees and institutions to investigate facts and undertake research. Since I came here, I have always felt that all that I am going to say will be taken as a message to appease the Israelis (and give them a sense of security). I say I will not give the Israelis any sense of security even for one moment. I would rather say that I am the victim, and I am the one who needs to be appeased, to be given a sense of security. I am the one who is terrorised and who feels panic.

They stand behind all that happened. Britain knows more than anybody else about the relevant facts and statistics. Therefore, here, in front of such respectable and high-profile delegates, we would say that the other party, which is the Israelis, should be the focus of the research. It is their stance that should be investigated and in dispute because they are the ones who insist on denial. It was established by international law yet it refuses to recognise international law till today.

Thank you. I am Muhammad al-Lahham, a refugee from the camp of Dahaysha. I am the director of the popular committee in the camp.

Amna Ghanayem:

I am a director of the administration committee in the Shu'fat Women's Centre. I am also a member of the Union of Women's Centres, the coordinator.

I came here to convey the views of the Palestinian women who have lived in suffering since 1948. They brought up their children holding fast tight to the right of return. Those women are still waiting for this right to be implemented on the basis of Resolution 194. It was passed by the UN and should be applied like all the other resolutions of the UN. This resolution is related to the Palestinians and their right of return.

I am from the village of Tall al-Rish, which lies on the 1949 armistice line. My village is less unfortunate than some, because half of it is still in the hands of its original residents, while the other half is in Israeli hands. My grandfather's land in the village is on the armistice line. We live in the camp of Shu'fat. I was born there in 1953 amid the echoes of the right of return. I have raised my children, as I have raised my students – I have been an UNRWA teacher for 20 years – on the right of return. We still dream about return, about the accomplishment of this right in reality. This accomplishment is essential for the Palestinian people, and it will reduce the suffering of Palestinian women.

There is something I would like to say. Holding a referendum about this right is an insult to the Palestinian people because it questions their loyalty to their homeland. Every Palestinian dreams about return. I live Shu'fat, whose population is about 20,000. This is the only camp which lies within the borders of Jerusalem. It has people expelled from 50 Arab villages who all hope to exercise their right of return. I have been asked, "return or Jerusalem?" This question, as far as I am concerned, is same as "which one of your eyes do you want us to knock out, the right or the left?" Return and Jerusalem are two essential demands. Thank you for your interest, which I hope it will be embodied in the implementation of Resolution 194 and its accomplishment.

A Palestinian (unidentified):

When the issue of the refugees was raised at the UN, it was the last paper to be presented. The issue of Jerusalem is very important for the Palestinian people. I believe that Resolution 181, which recommended the establishment of the Israeli state, must give Palestinians the right to establish their own state. It must give them the right to have a Palestinian state, with Jerusalem as its capital.

Amal Jado:

I am a refugee from Aida Refugee Camp, a member of the local committee there. I want to add another female voice here, because it feels like a male-dominated meeting. I just want to reinforce the right of return for women. Women believe in the right of return. I also represent the younger generation here in this meeting, and I was raised in the refugee camp. The camp has never been my home and it never will be.

I will never accept it as my home. It is a fact that I want to reinforce here. My home is the homeland that I have never seen, except recently when I visited my grandfather's home, now inhabited by three Jewish families from Iraq, which has also added to my sense of despair, because they are Arab too and spoke to me in Arabic. It just raised the problem for me because they are Arab and they are living in my home. What I want is for Israel to acknowledge my right of return. You come here and ask people if they believe in the right of return. Of course people believe in the right of return, this is their right. I believe the same, that if you want peace you really have to work for it, and justice is the right of return for the Palestinian refugees. I do not mind repeating myself and saying that in a referendum or in whatever mechanism the international community decides on; no matter what, it is one right and we believe in it. It is the right of return. Whether you make it through committees, whatever mechanism you use, I think that the answer you are going to get is the right of return. That is all. Thank you.

Bassam Naim:

I am a Palestinian refugee from the camp of Ain Bayt al-Ma in Nablus District. Yazur is the home of my father and grandfather. It is the village I dream of living in. I have inherited the right of return through two situations. The first one is related to my grandfather, the second to my father. My late grandfather lived in a camp in Jordan. He came to us on a visit when I was a kid nine years ago. I still recall that situation. My grandfather was given a choice, to visit the Prophet or to visit Yazur. He chose Yazur. I went with him on that short journey. I still recall the scene. As soon as he stepped on the land of Yazur he started to point: here was the house of X, here was the babur, the water lifter, here was our land. He fell to the ground. He took a handful of earth, he smelled it and he started to cry. I did not know at the time why my grandfather cried. However, I understand that now.

The other situation took place after I became an adult. I was going through my father's private papers and found two things. The first was deeds to the land, the other was the key to my father's house, which he inherited from my grandfather. I asked him what it was. He said: "It is the key to our house in Yazur." And he said: "It is yours when I die." I inherited the right of return through these two situations.

Now that I work as a teacher, I pass this inheritance to my children and students. I recall a short journey we had during the last academic year. We went to the city of Haifa, and we saw that it was two cities, an old one and a modern one. The old city attracted the attention of my students. They asked: "Where is Istiqlal Mosque?". That was the mosque in which the late Shaykh Izz al-Din al-Qassam stayed. If you ask me about my opinion on the right of return, I have to tell you that I had inherited it from my grandfather and father and I will pass this inheritance to my children. I have no choice in that.

If you want me to choose between Jerusalem and return, I would say both are in my heart. However, the issue of the refugees is significant because it is the only issue that started in consequence of the war of 1948, whereas the issue of Jerusalem started after the war of 1967. The issues of water, borders, etc. started after 1967. Since the issue of the refugees is the only one that started in consequence of 1948, it is the most complicated one and the one to insist on the most strongly. The refugees do not insist on it less than they insist on the issue of Jerusalem, they will never relinquish the right of return. Therefore, the right of return is the first preference and maybe the only one for the refugees.

Musa Abu Hashash:

I am a refugee from the camp of Fawwar. My family came as refugees from a village in Palestine. I am a member of many bodies, most of them political institutions. The most significant of them are the Palestinian Peoples Party and the Jerusalem Committee, which includes tens of thousands of teachers. However, the most important committee that I am active in is the Committee for the Defence of the Right of Return in Fawwar. I do not want to repeat what has already been said, but I want to confirm my faith, and everybody's faith, in the right of return.

However, I want to mention the official Palestinian stand in terms of the issues that are considered essential principles. These principles that are still misused officially, though people who are in charge say that they are not going to abandon them. Palestinian negotiators from Haifa and Jerusalem raise the issue of the right of return. However, we as refugees feel that the right of return is underestimated against the issue of Jerusalem. This is what we feel when we listen to the media, and to official visitors who come to the region. We fear that they will apply some bizarre solution that will disregard the right of return and all the Palestinian fundamentals, including the issue of Jerusalem. However, we are certain that they are going to disregard the right of return. Here we would like to ask a question. All that is going to happen because it is based on the logic of power and the support of the international community, especially America, Britain and Israel. This biased position is most manifest in support for Israel at the expense of the rights of the Palestinian people.

However, the question is: is this going to be the end of the story? I believe there will be a solution. We believe that, as Palestinians and as refugees, this generation and the future generation, this is going to be a temporary situation which is not going to last more than ten or 20 years. Our children will consider it the same way. This is not going to last for a long time. There will never be peace if this peace is not able to achieve justice for all the people in the region. History has shown that unfair solutions cannot bring peace and security. Let us ask this question: is the right of return a realistic solution? The answer is yes, it is a realistic solution, and it should include the return of millions of Palestinians to Israel.

I think that this question is raised in the light of certain concepts. These are the concepts held by racist Israelis who refuse to admit the existence of others. They refuse to acknowledge the minimum rights of the Palestinian people. However, one should be realistic and submit to different concepts. Concepts about rights of people, and their right to have peace and security, are going to change. I believe these concepts are going to change if Israel starts believing that other people have certain rights and that they have the right to peace and security. Realism will have a different meaning in the light of new concepts. The return of the three million Palestinian refugees is very realistic. There will be no threat to Israel's security if this is implemented within the framework of a fair peace. It is not a fantasy. I know that I am not going to return soon, not in the near future. But I do not have the right to make a decision about a right I have inherited from my father and grandfather. My son will be free to choose. I have a ten-year-old child. When he grows up, he might ask this question and he might find the answer. Thank you.

Muhammad Hilqawi:

I am from Fawwar camp, originally from the town of Bayt Jibril. I am a member of the popular committee concerned with defending the right of return. I am also a member of the high council in the National Front for the Families of the Martyrs of Palestine.

Let me summarise: no substitute for the right of return, return, return, return. I would like to address the MPs in response to what they wrote. I believe there is no choice. Resolution 194 is frank and crystal-clear. It contains no options. There is no A and B. The question of a referendum is not raised in it. Secondly, I want to ask a question. The delegation's statement reads, "the joint Parliamentary Middle East Council notes that any solution that attempt to resolve the question of Palestinian refugees will have to satisfy the basic concerns of the communities themselves". What does all this mean? We, as refugees, reject any solution that does not guarantee the right of return, because it will never achieve peace, neither for the Israelis nor for the whole region.

Afif Ghatasha:

I am originally from a village called Bayt Jibril, in Hebron District. I was born in that village and left it when I was only six months old. After people were expelled from the village, my father went back to it and was killed by the Israelis, at the door of our house. He was left there for days. My grandfather went back and buried him in front of the house. In 1967, soon after the end of the war, I went to Bayt Jibril to visit his grave. I found the place in ruins. Its remains were piled up and surrounded by a fence. I could not find my father's grave.

I am a son of the camp. I am the same age as the camp. I have lived through the 52 years the Palestinian refugees have lived through. At the moment, I am working for UNRWA. I am the director for the Youth Centre in the camp. I am also a member of the administrative board of Badil. I believe that nothing in the world could compensate us, as Palestinian refugees, for the suffering that we lived through. Nothing in the world could compensate for our psychological damage, for our pains. People who have never had the same sort of life may never understand. Perhaps people can now see on television what refugees suffered.

All we want now is to go back to the lands of our ancestors. In my work in the Youth Centre, we have organised some seminars and carried out some interviews with people whom we had the opportunity to meet in the camp. Meetings were held in a hall that is similar to this one. They came to us from all over the camp, and I did not hear a single one who was willing to relinquish the right of return. That is because this is our right as human beings. I, as a Palestinian, want to live in my country. In addition, it is guaranteed by international law that you know of course and everybody knows, and I do not want to go into its details. Thank you.

Bassam Abu Akar:

First let me apologise for my colleagues from the refugee camps who lost their tempers and withdrew from this meeting.

I am from Aida camp. I am the director of the sports club. I want to confirm my right, and my children's right, to return to historical Palestine. I was deprived of my father's and grandfather's land, and obviously my children are deprived. I was born in Aida. I have suffered all my life because of the Catastrophe. And the Catastrophe was a consequence of the occupation, which relies mainly on your support. You have supported this occupation with all your power. You provided it with soldiers, and with all kinds of arms. The occupation still applies your laws in dealing with us. In particular, they use the Emergency Laws of 1945.

I am not going to talk about mechanisms. We reject the referendum. You are the people who should find the right mechanism for the return of the refugees to the villages and towns they were forced out of. We demand that you stop supporting the

Israeli entity. Stop supporting the settlements that were built on the limbs of the Palestinian people and their children, the Palestinians whose villages were destroyed and who were expelled to all parts of the world. We demand our right of return. As for mechanisms, it is your responsibility. Thank you.

Atallah Salem:

Allow me to introduce myself. My name is 790-430-541. This is what it says on my UNRWA ration card.

I have three wishes. I wish I did not come here. I wish Britain never existed because then there would be no problem. And I wish UNRWA never existed because it provided us with aid but it did not give us protection.

We are all speaking about the right of return. Certainly, the first preference of refugees is the right of return. However, nobody has talked about the mechanisms of implementing the right of return. The right of return requires three main elements: 1 – the will; 2 – a decision by the international community based on international law; 3 – the power.

I do not represent anybody. However, I believe that my views express the views of thousands, millions of refugees. Perhaps a large number of them, not all of them. I have the right of return. However, what if I cannot get this right according to Resolution 194 and international law. This comrade here chose peace and is trying to get his right of return by peace. Peace is my preference as well. However, if peace cannot give me my right of return, then I will have my own mechanism. I will implement my right of return by using arms. If I have no gun, my weapon will be my teeth and my nails. Thank you.

Dr Adnan Shahada:

I am the director of the Youth Centre in Arrub camp and I work with Badil.

I am from the village of Yazur, which is now in ruins except for the military airport, which is left over from the British Mandate and is still used by Israel. I want to thank you for your interest in the issue, and for adopting Resolution 194 as the terms of reference for the work of your delegation.

There is no disagreement among Palestinians about the urge to implement the right of return. Concerning the right of return, for some of you or for European logic in general, it is difficult to understand why some people have this strong attachment with a certain place. In Western culture, people move from one country to another, where they settle down and live their life. However, homeland, place and home has great significance in Arab culture. These things mean belonging, self-esteem and history for the generations who live in that part of the earth. Implementing the right of return means establishing peace in the region. If peace is not implemented there will never be stability. As some colleagues have already said, this state of affairs could last for 20 years, but it will not last for ever. Eventually, if the right of return is not implemented, there will be peace neither for us nor for anyone else in the region.

The other issue that I want to mention is that the right of return is an international statute. During every stage of history, the problems of refugees have been solved by their return to their lands. If you recall all the issues that involved refugees from the early times until the Bosnia crisis, you will find that these problems were solved by return. The issue here has a human dimension also. If one of you stands in a street in London and asks passers-by how they would solve a refugee problem, the answer would be "by their return to their homeland". It is common sense, never mind international law, that the problem of any human being forced out of his land is solved by

his return.

The last point I would like to make is to remind you that the right of return is an essential human value and not only a Palestinian political issue. It is also the issue of belonging. Thank you.

Imad Shawish:

There is no question of a referendum about the issue of the Palestinian refugees' return to the villages and towns from which they were expelled. Secondly, the investigation of the facts concerning the refugees has been exhausted. The members of the British parliament should search in the Palestinian files in Britain before coming here to talk to members of the refugee committees. Thirdly, eventually, all refugees return to their countries. This land is the Holy Land. An Arabic proverb says, "No right can die if someone pursues it". However, I would like to say that if Britain wants to do penance for some of its sins, then it should be more serious in dealing with internal issues inside the camps. It should undertake its legal responsibility – concerning the role of UNRWA in the camps, and the bad conditions which the population of the camps has to endure – until refugees return to their villages and towns in Palestine. Thank you.

Muhammad Jaradat:

I am not a refugee, and this is an important point. I do believe 100% that the Palestine question is mainly a refugee question. If you look at the programme of the Palestinian liberation movement, it was the return, liberation and Jerusalem. It has not changed. Seventy-two per cent of the Palestinian People are refugees. And if you make peace, then according to democratic and universal values you make peace with the majority and not the minority. As a resident of Bethlehem or Hebron it does not mean for me I will live in peace and security if my people do not return and have their free choice and the international guarantee to return for those who choose to return.

I don't want to go into percentages, whether one person, two people, 99% or 100% want to go back. The thing is to recognise the right. First of all to recognise it and say, yes, the international community is fully responsible for the Palestinian Catastrophe. So if you are asking about whether I want to return or not or to choose rehabilitation or resettlement in another country, make sure that the choice of the refugees is respected, and that the choice has been made and that there is no misrepresentation. They need to hear confirmation that what they have said will be your only reference. But is there any mechanism to guarantee the implementation of the choice? This is a big question and this is for you first of all, it is your responsibility. To be realistic, I do not have high expectations. What I want from you is to transfer the reality and the truth of this meeting. As a non-refugee, and I stress this, I have no peace and no security without the right of return.

Nick St Aubyn MP:

I would like to ask Amal Jado, as a representative of the younger generation, how broadly he thinks their views have been represented this afternoon. Do you think there is a diversity of views, which will have to be reflected in a final settlement?

Amal Jado:

I don't think that there is much margin for diversity, because people and refugees like me who were born in the refugee camps, I am talking on behalf of these people, who

were born and raised in the refugees camp, the majority of their problems result from the occupation, and as a result of being refugees and brought up in the refugee camps. I feel that the main solution for them is to go back to their homeland. I think that the majority of young people, the younger generation, think of the solution as the right of return. I think that I represent the majority of these young people.

Nick St Aubyn MP:

It is likely that the younger generation will have stronger economic ties with where they find themselves now. Do you think that this might mean that they would demand the right of return and then choose not to exercise it?

Amal Jado:

No. They believe that whatever they are doing now, wherever they are living, is temporary. Because it is a result of being refugees. It is like you are living here but sub-consciously you are somewhere else, somewhere that your parents and your grandparents lived. You feel that this is not your homeland. This is not the place you belong to. There is another place that was taken in 1948 and you belong there. So ultimately people think that this place is a temporary residence that they are staying in, and whatever they are doing is in the direction of the right of return and going back to their homeland.

Abd al-Fattah Abu Surur:

What we discuss here is the right that is ours, that is truly ours. I have the right to have my property in my own village. I have the right to be wherever I want and to live wherever I want. I have the right to go far out of my village and to buy any other piece of land in another country, city or village. My will is much bigger than this refugee camp. It is my right and I demand it. Thank you.

Jamal al-Hindi:

This question is very important and very sensitive, especially the part concerning young people. We have talked about many issues that are relevant to the young people who form the majority of the Palestinian refugees. In this respect, I want to remind you of what Golda Meir said when she was Prime Minister of Israel. She said, "the older generation of Palestinian refugees will die, and the young ones will forget". It was a shock for the Israelis that the youngsters, those who were born under the occupation, led the Intifada. They fought and struggled for seven years.

The second point I want to make is that the majority of the armed Palestinian groups who infiltrated through the borders were born in the camps far from their homeland. They were not even born in Palestine. They were young men who were born in those camps. Therefore, as other comrades said in this respect, our issue is a legacy that is passed on from one generation to the next. As far as the economic aspect is concerned, we want young people to fulfill their role in the future, and establish themselves economically after they return to their homeland, and to the towns and villages from which they were expelled. These are the aspirations of Palestinian youth, who want to promote their people among other nations in the world. They also want settlement, peace and security to be established in this region.

Finally, I want to say that implementing the right of return is the best option to ensure permanent peace for the future of this region.

Ernie Ross MP:

You said that you had family in Israel, in the West Bank and abroad. What mechanism do you think would be needed to allow all those members of your family to express their choice of preference?

Khaled Mansur:

I have brothers who live in Saudi Arabia and the Netherlands. They emigrated in the 1950s because they could not get jobs here. However, they come home to visit every year. They were born in our village of origin, Um al-Zaynat. Although they are working abroad, and one of them has Dutch nationality, they insist on having Palestinian nationality as well. They are willing to return to our country and to take on Israeli nationality. According to the law, one could have American/Israeli nationality, or British/Israeli nationality. Consequently, my brother should be able to have Palestinian/Israeli nationality.

The most important point is his return to his home country. The economic situation in the territories under the Palestinian Authority does not encourage people to settle down. We consider our stay here as a temporary arrangement. Our only hope is to return to the territories of 1948 and we are willing to return there. I have not built a house for myself in the refugee camp because I do not want to waste efforts on building a house here. We are living in shelters as I mentioned previously. Our only aim is to put all our savings into building a house in the original villages in which we were born.

And further, parts of my family are now living within the territories of 1948. They were expelled from the town but live in other villages close to ours. My grandfather lives in a village called Shafa Amr inside Israel. He and his children were forbidden from returning to Um al-Zaynat. Despite the fact that both Um al-Zaynat and Shafa 'Amr are inside the borders of Israel, my grandfather is not allowed to live in Um al-Zaynat because it is considered to be a destroyed village to which there can be no return.

Neil Gerrard MP:

Who do you think has the responsibility to provide the mechanism to allow your relatives to express their preference? Is it the Palestine National Council, is it the international community, who?

Khaled Mansur:

Implementing the right of return is the responsibility of the international community. This is because the UN resolutions ratify our right of return. And Britain, the United States and all countries which helped establish Israel consider themselves part of the international community. They are responsible for the Palestinian Catastrophe. It is also their responsibility to make Israel accept the right of return.

However, as a Palestinian, I consider the PLO to be the only legitimate representative of the Palestinians and the leadership of our struggle to achieve the right of return. The strategy of the PLO is to push the international community and the United Nations to work for the implementation of the right of return through political and diplomatic channels. However, we feel that the world is applying double standards at the moment. Now, they are carrying out the return of the Bosnian and Timorese refugees to their homelands whereas they are still questioning whether Resolution 194 is binding or not, and whether it is outdated or not. We think that the resolutions of the United Nations have to be dealt with in a fair manner. These are historical

rights that should be implemented and the international community should help the people of Palestine to implement this right.

Ernie Ross MP:

Does anybody else have a view as to who has the responsibility to provide the mechanisms to allow the Palestinians to express their preference?

Dr Adnan Shahada:

It is everyone's responsibility. If you are speaking about representativeness regarding the right of return, as you have mentioned before, it is not a matter of voting. This is a right. But if you are asking us about how we are going to exercise the right of return, this could be done as in any other country when they are having presidential elections. The embassies or whatever in different countries can organise that. Is this what you mean by that? I do not think it is a big issue. Maybe the international community or the United Nations can have, or already have, a kind of a body which can do that.

This issue has been raised in the United Nations. It gave Bosnians the right to express their opinions about return. Was it extended to us at that time? I do not think it was. The United Nations helped the Bosnians to go back to their homeland. I do not think it is up to us to decide for the refugees. Refugees should be given their rights. They then have to decide to exercise it or not. So the first thing or the most important thing is to give them their right and ask them, "will you exercise your right?" I do not think any Palestinian would say no.

Khaled al-Azza:

I am a member of the political bureau of the Popular Struggle Front, of the Palestine National Council and of the popular committee against illegal settlements. There are 111 recorded instances of the General Assembly of the United Nations ratifying the right of the Palestinian people to self-determination, and there are 52 resolutions confirming Resolution 194 on the right of return. Yet, even if Resolution 194 never existed, the refugees are there. Therefore, a resolution about their return must be there.

Muhammad Jaradat:

I understand the question very well. There exists in the international community bodies which have infrastructure and mechanisms. I will explain why the Palestinians have been excluded and included in them. There is UNHCR; there is UNCCP, which was established especially for Palestinians to find a mechanism for return as soon as possible. This is written in its mandate. UNCCP was created to repatriate and rehabilitate, according to the choice of the refugees. Its mandate has disappeared from the record but it still exists. It is there, and one of the things you might ask for is a re-evaluation of its status and role.

There is another possibility, UNHCR. It already has the mechanisms and it has the practice and the experience. So there is another body and another option.

The third body is UNRWA, which has an existing infrastructure, which the international community has been investing in for 51 years. Why should it not be the responsibility of these three bodies, with over 50 years of experience of the Palestinian refugee issue, to establish a mechanism whereby refugees are able to express their choice? This is a question for you.

The PLO is the representative of the Palestinians on the political side, and this does

not contradict the international mandate to return the refugees to their homes. On contrary, it strengthens it.

We must also remember that when we are speaking about Palestinians refugees, they are excluded from parts of the international regime intentionally. The 1951 Convention on Refugees in fact gives the Palestinians double protection. There is a clause in it saying that those who are already taking assistance from an international body i.e. UNRWA, are excluded. However, it also states that if for any reason this international assistance and protection is revoked, they are automatically qualified to be protected by UNHCR or other bodies. UNCCP has disappeared. Therefore automatically, according to this paragraph, "the Palestinian refugees should be placed under the responsibility of UNHCR as an international body which works today in hundreds of countries. I see that last week they launched a campaign for support for refugee repatriation. Where are the Palestinians benefiting from this? Does this answer your question? Thank you.

Jamal al-Hindi:

I would like to remind you that Mr David Atkinson has already visited the region. Nothing good came out of the Council of Europe's report as a result of his tour here. He visited many institutions and got acquainted with the factions and activists in refugees circles. He also met some ministers in the Palestinian Authority, members of the Knesset and members of the Legislative Council. Yet, we were surprised that Mr Atkinson produced a report claiming that the only thing that would encourage Palestinians to relinquish the right of return would be the creation of an independent Palestinian state, something more than autonomy, but not full sovereignty.

We met Mr Atkinson and we clearly expressed our stand concerning the right of return and the fact that we consider it sacred. However, we disapprove of the misleading content of this report because it ignored the true spirit of what was said to him. We have a copy of his report and we understand its meaning.

Concerning the mechanisms, we are absolutely convinced that countries that have a role can move the UN to find the proper mechanisms for the implementation of the right of return. The most important of these are the countries that paved the way for the Zionists. There is also America, which takes care of Israel, with all that this entails. We declare now that the United Nations has full responsibility for the continuation of the Palestinian tragedy and the suffering of the Palestinian refugees. Therefore, the United Nations is the international agency with the responsibility to search for mechanisms to implement UN Resolution 194 and the right of return.

Concerning the economic situation, it seems that the dominant understanding in Europe is that the alleviation of the economic situation of Palestinian refugees, improving living conditions, are solutions for the refugee problem. The Palestinian issue is not about camps. The issue of the refugees is part and parcel of their psychological, moral, social and economic structure. It also has to include the refugees who live a comfortable life in the city, because they too are defending their right all the time and strive to implement Resolution 194. Therefore, the issue is not only about camps. Thank you.

Unidentified speaker:

The mechanism you are looking for is the use of force. Force to be imposed on an arrogant entity whose friends and supporters implanted it like a strange organ on Arab land. They are the ones who provided it with a nuclear arsenal. That was done by the international community. I am speaking about the political institutions, not

parliamentary ones. We all respect you as a British parliamentary delegation. I am speaking about British policies which follow in the footsteps of the US in a very humiliating way. Britain and America did not ask about mechanisms when they entered Kosovo. Britain and America are now carrying out the bombing of Iraq alone, without mechanisms. Britain and America protect the Zionist entity.

We accept your question if it is a political question which expresses a British political stand. We have high expectations of you. We believed that the British people did not have a guilt complex. We knew they had a complex of dominance and pride, because they were not colonised and because Britain was a great empire. However, we discover now that you, as a people, have numerous feelings of guilt. Britain was the empire on which the sun never set. After 1956 Britain became a state of third, fourth or fifth class. Britain is now running behind America, the monstrous power in this world. Britain is pursuing American policies. We call on the people of Britain and the British parliament and remind them of their pride and independent history, and ask them to change the current history of the people of Britain. We are calling on them to put limits on pleasing the Israelis. I may disagree here and say, the mechanism will be established by 5-6 million (refugees) after ten or 20 years. These refugees had no one to support them to constrain their oppressors. They may be able to do that after 20 years. We are helpless now but we have two languages, a cultural, historical one and a geopolitical one. Our geopolitical language aims at a Palestinian state in West Bank and Gaza Strip and the return of the refugees to Palestine without sovereignty. On the other hand, our cultural, educational, historical language says that all Palestine is an Arab land, Jaffa and Haifa are Arab cities, and our country is an Arab country which is ruled by an Israeli state. This is the historical logic.

We accept an Israeli state along with a Palestinian state on condition that we return to our land. The Zionists are blind to reality. After 1967, Israel captured 76%. Now there is only 22% of Palestine left, i.e. we are asked to accept 6,000 sq. km. of Palestine out of 20,000. We accept 6,000 sq. km. as a state, and we will live by Israel's side.

However, Israel expresses its rejection of this through its nuclear arsenal and its allies among politicians, not among people. It depends on its allies in America and Britain. Israel denies us our rights, preventing us from return and branding us "dangerous". But I know that the issue of the refugees will not be solved, not even in ten or 20 years, and I know that I will not return to my country in five years. I know that whoever suggests compensation and resettlement is a traitor. No leader, politician or negotiator will dare to bargain over compensation or resettlement, not after 20 years, not after 50 years. The solution or the mechanism will be established only by Palestinians when our time has come. Thank you.

Nick St Aubyn:

You mentioned that your land has been taken away and that other people are living on that land now. This obviously complicates the discussion on the implementation of the mechanism. Has some thought been given in your community as to how these types of particular problems in practically implementing the right of return might be resolved?

Jamal al-Hindi:

As far as the right of return is concerned, it is a natural and individual right, which cannot be disposed of. The refugees did not authorise anybody to relinquish this right. Since you have proposed three options to choose from, I will also propose three

options to choose from. The first is the right of return and compensation, the second is the right of return and compensation and the third is the right of return and compensation. Thank you.

Salim Abu Hawash:

I am the head of the town council.

The question of mechanisms will be very important when we hear a clear statement issued by the government of Israel announcing that the refugees are allowed to return. The first line of Resolution 194 reads: "Refugees who would like to return are permitted to return and live peacefully with their neighbours as soon as possible." However, whenever it seemed possible to return, an Israeli decision was required. Now we have to search for mechanisms to acquire the Israeli permission to allow refugees to return.

We do not agree with the racist Israeli interpretation of the right of return. The international community and the countries which contributed to creating the Palestinian tragedy are required to deal with the Israeli state at least in the same way they dealt with apartheid in South Africa. The regime is just the same. Israel is the only country that still has official racist laws. Israel is searching for more political agreements in order to dislocate Palestinians within their lands in the West Bank and Gaza Strip. It dislocates Palestinians in their lands in the Negev desert in the south of Palestine and prevents Palestinians who live within the State of Israel to return to their lands and villages. Only when the Israeli regime abandons its racist ideology will it be possible to search for mechanisms. As far as I am concerned, if I am allowed to return I will return in 15 minutes, and maybe others will take one hour, ten hours, a month, five years or 20 years. There is no problem with that. The main point for us is that we should have permission to return, and Israel's racist ideological politics should be put to an end. Thank you.

Ismail Abu Hashash:

I am sure of two things. An agreement is going to be signed soon. The way the issue of the refugees and the right of return are going to be dealt with is far from meeting the refugees' expectations. Secondly, there will be no peace even if there is an agreement, which will be designed in European and American interests. For Israeli security is the only European concern. However, I am certain that the struggle will not come to an end. The problem and the exploding situation in the Middle East will not come to an end even if an agreement is signed.

Muhammad Jaradat raised a crucial matter which relates to the legal basis of the refugee issue. It is related also to the mechanisms, and to those who are authorised to establish the mechanisms. On the basis of the crimes committed against the Palestinians which made the Palestinian refugee issue an issue of international political priority and not only a humanitarian disaster, UNRWA was created. This is because the laws of UNHCR were not implemented in the case of the Palestinian refugees. That was because UNHCR was founded to help refugees in humanitarian terms and does not necessarily represent their political situations, as in the case of the Palestinians. Because UNHCR works with victims of natural disasters or with people who fled their countries for reasons of war. Therefore, we insist on the continuation of UNRWA not because we like UNRWA, but because it represents the recognition of the responsibility of the international community for the issue of the Palestinian refugees.

Starting from that point, there should be no such question about who will estab-

lish the mechanisms and who is authorised to carry them out. The United Nations undertook this role in recognition of the urgency of the Palestinian issue. It alone is authorised to do that. However, the international community is still dealing with it in a biased way. Furthermore, the international community neglects these issues

Ingrid Jaradat Gassner:

I just wanted to say briefly that this discussion that we are having now expresses exactly our dilemma. You can see that it is almost impossible in our situation where we do not have a recognition of the right of return to even discuss in a professional way mechanisms of implementation, because we have permanently this mixture of the battle for the recognition of the right and the idea that in one way or the other has to be implemented. However, it is almost impossible to discuss implementation of mechanisms because at this stage we do not have the recognition of the right of return. We usually feel it is a way to belittle the importance of the recognition and this is why you get this kind of reaction, that we do want recognition first, and then we deal with implementation, and it can be an international body, the one best fit, the PLO or whatever, this is not the problem, the problem is recognition.

Unidentified Speaker:

To abandon the right of return today or to raise alternative preferences by any Palestinian individual, institution or political party would be suicidal. We denounce the options raised in concept paper because they include the right of return and restitution of the original properties in the homeland or in the host country. Since we are in the West Bank we are actually in a host country. Therefore, this is not going to solve the problem. Also in Jordan, this is not a solution for the problem because there is no recognition of the right of return. The essential point is a clear recognition from Israel for the right of return with international guarantees. As a Palestinian refugee, I want my right of return to be first guaranteed legally, and I then will do my calculations about whether I choose to remain here, go to Jaffa or to return to my home village.

Sulayman al-Fahmawi:

I find the question very odd about the mechanism of the right of return. The ball should not be put in our court, it should be put in the court of the international community. Why does the international community not provide us with the mechanism for return? We are a helpless people, we own nothing, and we do not have the means to implement the right of return. We have no mechanism to implement this right. The international community has all the required possibilities such as imposing pressure on Israel. To give you an example of a mechanism: many Palestinians are living in the vicinity of their town of origin. Return can easily be arranged to the land that now lies vacant.

Muhammad Hilqawi:

Israel has all the power in its hands. I believe that no matter how much we talk about the mechanism of return, return is not going to be achieved through talking. There is only one mechanism, the one which my colleague has just talked about, and that is force. Force is the basis of return. It will not be achieved through negotiations, Camp David or whatever. It seems likely they are going to sign an agreement, and that all the procedures are prepared. In a meeting of the popular committee we held in Fawwar, one old man talked about the problem. He said even if they if they gave us

a well of gold, there would be no substitute for the right of return. In another meeting held in another camp, which I also attended, another old man said that there was no alternative to the gun, for neither negotiations nor begging were going to achieve our right of return.

Bassam Abu Akar:

Return is feasible. Establishing the mechanisms is our task. However, this will be in the light of our experience. The world has overlooked the rights of the people of Palestine. For 52 years the world has disregarded us, taken Israel's side and given it all its support. Israel has been given the power to crush the region, to destroy the entire infrastructure, history and culture of the region. With the support it is being given, Israel would be able to occupy several Arab countries.

The world stood and watched in 1982 when Israel invaded another Arab capital. America gave Israel the green light to invade Lebanon, while Britain and other countries were watching. What was Britain doing at the time? What was the United Nations doing? Nevertheless, the people of Lebanon, after 22 years of suffering, were able to drive Israel out. It was the force of their struggle, the power of Hizbullah, that drove Israel out. Israel was established by means of force. You basically supported it. We apologise for saying this. We have no desire to rebuke you or to say anything bad to you. However, excuse us, because we have suffered as a consequence to your agreeing to the establishment of Israel. Israel is the most powerful country in the region now. Only when it becomes an economic liability will you say no to Israel. Only then will Palestinians get their rights.

The decision to return is ours, but we may not necessarily achieve it now. It could happen in a while, or even in ten years. Perhaps all our generations will have participated in its achievement and perhaps the entire region will. They called us cockroaches, crocodiles, vipers and dogs. This could not come from somebody who is ready for peace. Several days ago, Barak called us "crocodiles". He, the most important and powerful man in Israel, called us "snakes". He said that God made a mistake when he created Palestinians.

This is racism, not peace. What kind of peace you are talking about? Is it our task to establish mechanisms? This is your and the Americans' task, to find mechanisms. When you terminate your support for Israel, and when you stop being biased towards the Israelis, mechanisms will be established. We resisted them for ten years during the Intifada, and we are still ready and willing to resist them now for 100 years. We will never relinquish our right to have our homeland back. We have suffered for 52 years. Yet you are asking us to search for mechanisms, what kind of mechanism is this?

I would like to you ask a question. What do you mean by the concept of mechanisms? Is it about how refugees are going to return to their homelands? Mechanisms could be imposed in a different way. How did Jews come from Russia and Eastern Europe to Palestine? What was the mechanism to allow their immigration? Does that mean that there is a mechanism which can be applied to bring them here, whereas there is no mechanism to bring back the native people of the land? The mechanism is very easy; it is the return of the refugees to their homeland.

Jamal al-Hindi:

I have noticed that the members of the parliamentary committee have twice asked who will represent us. In fact this question is related to two points. I do not know if I have understood this question very well, "who is going to represent you, as refugees?"

Do you mean an international body or a Palestinian body? If you mean a Palestinian body, then I believe that it is going to be the PLO, which is the only legitimate representative for the people of Palestine. It covers all the places in which Palestinians live. The PLO has been authorised by the Palestinian people. This authorisation is based on clear-cut conditions: liberating the land and the return of the refugees. That is because this organisation was formed in 1964, when the West Bank and Gaza Strip had not yet been occupied. Any breach of this contract between people and leadership will inevitably lead to a lack of representativeness.

We have to judge and evaluate the Palestinian political discourse that is carried out by the our leadership, by the PLO. This discourse still adheres to Palestinian national principles, and above all the issue of the refugees and the right of return. This fact gives refugees and the Palestinian people a sense of security. The condition of the Palestinian refugees can lead to a sudden explosion at any point in time. We trust the official Palestinian political discourse and we should not have suspicions that secret agreements are being made.

I have a question to put to the parliamentary delegation. I appreciate the role of this delegation because MPs always carry out a sacred mission. They are the voice of citizens under the roof of the Houses of Parliament. They are the real protectors of the citizens' rights and interests. We are also citizens. I said in the beginning that justice means supporting the right of return. My question is related to the resolution that was issued by the International Parliamentary Union in Amman. This resolution has confirmed Resolution 194. How would you explain the project of the Israeli Knesset, which is the Israeli parliament, that ratifies the deprivation of Palestinian refugees of their right of return? Thank you.

The Committee for the Defence of the Right of Return,
Bethlehem

Submitted as written evidence

Through many activities and meetings, all refugees have expressed their adherence to the right of return. They also feel that the current negotiations will not come up with the right of return. Therefore, the refugees have declared through several announcements and documents that they will refuse any solutions that will not acknowledge the right of return. This declaration and feeling must be taken into consideration by the negotiators (Israelis and Palestinians) and by the international community. There can be no compromise on the right of return. The only real solution must mean just and lasting peace and security for the two peoples. We are almost sure that the Israeli conditions on the peace process are unrealistic and will not last forever.

Moreover, we know that the Palestinian refugees are the poorest and they are not afraid to lose everything; many political problems rise from poverty. Palestinian refugees after 52 years of suffering and political and human neglect, will remain as the source of many problems in the area if they are deprived of their rights.

Musa Hashash, Fawwar Camp

Al-Rowwad Theatre Group, Bethlehem

Submitted as written evidence

Al-Rowwad Theatre Group was established in April, 2000 in Aida camp, Bethlehem.

It was established to regroup the children of the camp, to stimulate their creativity and intelligence and to give them the chance to express themselves, their dreams and wishes, their fears and hopes. These are children who have never had the chance to live like children in any other part of the world.

A group of volunteers have taken the responsibility to raise these children and to give them the opportunity to experience and live something different. Even though they live in refugee camps in their own country.

We have produced a play called "We are the Children of the camp", which retraces the history of these children and their families. Their origins, dreams, hopes and rights. They raised their voices and expressed themselves. "This is our land and we shall return."

A lot of work is still to be done and a lot of financial and material help is needed.

Abd al-Fattah Abu Surur PhD, Aida camp, Bethlehem.

Note: "Al-Rowwad" means "The Pioneers".

Gaza, 2nd September 2000

PARTICIPANTS:

Abdullah Arabid — Hirbiya, Gaza
Abd al-Rahman al-Hala — Qastina, Gaza
Kamal Suri — Isdud, Gaza
Ziyad Sarafandi — Yibna, Ramla
Jamal Abu Habel — Burayr, Gaza
Ahmad Sa'duni — Yibna, Ramla
Dr Ibrahim al-Habash — al-Jura, Gaza
Khamis al-Turk — Bir al-Sab'a
Nasr al-Din Jabr — al-Maghar, Ramla

Dr Abdullah Arabid:

I am chairman of the executive bureau of the People's Committee. Welcome. We are here as the executive bureau of the committees of refugee camps in the Gaza Strip.

In the Gaza Strip there are eight Palestinians refugee camps: Jabaliya, Beach Camp, Burayj, Nusayrat, al-Maghazi, Dayr al-Balah, Khan Yunis and Rafah. With the establishment of the Palestinian National Authority, popular conferences were established in all the camps which in turn elected popular committee.

The popular conferences discusses the refugees' political and social problems and draws up strategies to implement the objectives of the refugees, such as the right of return. Subsequently, the popular committee carries out the conference's policies. Last year all eight committees convened and decided to establish an executive bureau, which comprises the chairs of the committees who were in turn elected by the members of the committees. (All members are elected, by the general assembly, workers' representatives, professionals, mukhtars and party representatives.)

To give you some idea about us as an executive bureau, we would say that we represent the political position and the prospects that the majority of the Palestinian refugees, who are approximately 750,000, hold.

What I have described is a brief definition of the executive bureau and the administrative structure of the popular committees. Hence we consider the political resolutions of the Palestinian National Council and the Palestinian Central Council, which adhere to the Palestinian national principles, to be our political reference. As for our administrative reference, this comes from the popular conferences, i.e., the public. We have an official internal covenant which is ratified by the popular conferences, and was established by the popular conferences, and by the PLO. It is our constitution as popular committees.

In every camp we have a bureau of a popular committees. I have covered all of Question 5 and part of Question 6. Concerning the part of Question 6 where it says "to define the level of coordination and consensus between us, as popular committees and between the executive bureau and the public", I would refer to the earlier point I made, in which I said that our popular conferences define our political policy. The position I am talking about emerges from the bottom to the top. So much for Question 6. Let me go back to Question 4.

I want to speak about our point of view concerning the solution to the problem, which is expressed in our constitution and through our public conference. Speaking on behalf of the 750,000 refugees in the Gaza Strip we represent as an executive committee, we accept no substitution to the right of return to the land of our fathers and grandfathers, which is not only that part of Palestine called the West Bank and Gaza. This demand is based on the resolutions of international law. We also base our

demand on the fact that the foundation on which the Israeli state was established was the Partition Plan under UN Resolution 181. During the events that took place after Resolution 181, we were forced to emigrate; this led to UN Resolution 194.

I would like to point out that Resolution 194 has been mentioned more than 111 times at the United Nations. We rely on this right being included in the resolutions of international law for the establishment of UNRWA for the protection of the refugees. We understand that UNRWA was established to protect and employ the Palestinian refugees temporarily until they were able to return to their homeland. We clearly understand that Resolution 194 is a clear call to allow refugees to return to their homeland. I would like also to mention that Resolution 242, which includes one article that calls on the international community to find a just solution for the Palestinian refugee problem. This just solution should be based on the resolutions of international law, and this brings us back again to Resolution 194.

Let me return to the previous point concerning our points of view and our fundamental stand regarding our legal rights. This stand is based on the principles of human rights. In this respect we would like to stress the UN Declaration of Human Rights. There are many articles in the Declaration of Human Rights which discuss the right of self-determination. However, I would like to refer to the first sentence in the declaration, which says: "People are born free." This is considered the backbone of the Declaration. If people are born free, therefore we also are born free and nobody can enslave us. I think that the condition, which the entire world should insist on for recognising the Israeli state, is the Israeli commitment to the UN Declaration of Human Rights. We admire the first Article in the Declaration because it is a comprehensive concept that includes others, including self-determination.

Apart from this declaration, we could refer to obligations by states regarding our civil and political rights, in addition to social, cultural and economic rights. In these two sets of obligations, there are many articles that stress the right of self-determination. If we look at the Geneva Convention, we find under Article 4 that it states unequivocally that when war is over refugees should return to their homeland immediately. If we move to Article 47 of the same Convention, we see that it says: "If the state which carried out the occupation wants to make an agreement with the representatives of the occupied territory then it should take into consideration the Fourth Geneva Convention, regarding political and civil law." The essential meaning of this article is that any agreement that involves us, the Palestinian refugees, should take into consideration our political and civil rights. Consequently any agreement that does not take these rights into consideration is invalid according to international agreement and according to the Geneva Agreement.

To summarise what has been said, we believe that our natural rights, which are included in all the covenants in the world whether they are humanitarian, judicial or legal, is to return to our homeland. We have discussed these subjects, which I am raising now to you, in our public conferences in detail. We have also organised many workshops on these issues. The conclusion of all this discussion is that these resolutions and covenants should be applied to our people just as they have been applied to other people in the world, the most recent of whom are the people of Bosnia-Herzegovina.

Concerning the subject of compensation, I would like to add a clarification. We have our own point of view concerning compensation, which states that we have to be taken back to our homeland first; this is essential. Secondly, we should be compensated for our suffering over the past 52 years. We believe that compensation should cover three areas. The first is economic compensation. The second is psycho-

logical, which is a very difficult task but we are going to demand it. The third is ethical and moral compensation. I would like to conclude my speech by saying that my personal private rights state that nobody, whoever he is, is entitled to take a decision on my behalf. I am from the occupied village of Hirbiya. Nobody is entitled to sell, to let, to rent or to relinquish Hirbiya to anybody on my behalf. Consequently, nobody is authorised to impose on me or to expose me to a referendum regarding my own rights, and my own house. Referendums are usually held to investigate a debatable issue. My house is not debatable, and I insist that my house should not be subject to a referendum. Do our guests permit us to go to London and hold a referendum about their parliament to establish whether it is theirs or not?

Thank you.

Abd al-Rahman al-Hala:

I am the chairman of the people's committee of the refugees in the camp of al-Maghazi, originally from the village of Qastina, in which the new president of Israel now lives. Now it is named Kiryat Malak.

Firstly, we welcome you here in your visit to listen to our opinions. In the past, people of all countries were marginalised. Decisions were made by regimes and by international organisations and were not based on the opinions of people themselves. It is a new experience for us as Palestinians to be consulted concerning our own situation or opinions, 50 years after resolutions were issued. Those resolutions were grossly unjust and were issued without us been consulted or referred to. We welcome you here and we welcome your new idea, which is unprecedented for Palestinians. We wish you all success.

The most important point concerning your presence among us is that you represent people in Parliament. You were elected by the people, and you do not represent regimes. Therefore, there is no cause to criticise the governments under which they live. I am certain that a large number among them suffer because of their governments. There is no need to refer to history and say that Britain is responsible for what happened to us, or Germany has compensated Israel and contributed to establishing it. I am talking to representatives of people and this makes the argument positive.

Of course, I confirm what my colleague Abdullah said. I confirm all the legal points that he made. These are my views as well, regarding solutions. We are committed to the recommendations of our people and our people's committees in terms of speaking about our right of return and about compensating us for our suffering and our exile over the past 50 years. Therefore, I, and all the people I represent in the camp of al-Maghazi, appreciate all that has been said by Abdullah.

However, I would like to mention that what Abdullah talked about, the recommendation which we are committed to, is considered by the West and the super-powers to be a sign of "extremism" and illogical thinking by the Palestinians. This is their fixed impression of us. They think we are extreme and illogical when we demand to return to Tel Aviv, whose name was Tal al-Zuhur (the hill of flowers), or when I want to return to my village. They think we are fantasising and they ask us to be logical. I refuse such a logical solution if it means that I should accept the Israeli state as a reality. This state refuses to recognise my identity and even refuses to recognise me as a human being.

There is one significant point I want to mention. There is one paragraph [in the Concept Paper] which speaks about the feeling of historical responsibility towards the tragedy of the Palestinian refugees in the West. It reads: "It is time for the world to redeem the debt owed to the Palestinians and by so doing, to create a lasting peace

by which the security of all the Middle East, especially Israel's, is guaranteed." The Israeli state here is specifically mentioned. However, we should search for a fair and comprehensive peace in the Middle East. Unfortunately, the entire world is run by the United States. The US controls the political decision-making in all the countries of the world. It does so even in our countries, the Arab countries, the Muslim countries and the Middle Eastern countries. Moreover, America tells any Arab or Muslim leader where and when they are allowed to go and speak. This does not help to establish a fair and comprehensive peace in the Middle East. If the Palestinian president, Yaser Arafat, or the people of Palestine sign any agreement in which they make a compromise on the human rights of Palestinians, including the Palestinian rights of sovereignty, of having an independent identity and of having self-determination, and if the agreement is signed under threat of force, or under American pressure, it only means that what is so signed will vanish when the arm vanishes. It means that the region will plunge into war again. Consequently, this approach does not help to establish a fair and comprehensive peace in the region, or any kind of peace in the world.

In the end, we hope for a fair and comprehensive peace, based on equality, and a peace which guarantees the rights of all people who have rights according to international law. We wish you all the best in your visit in Palestine, and every success.

Kamal Suri:

I am a refugee from the camp of Nusayrat, and the chairman of the people's committee in Nusayrat. To begin with, concerning Question 4, we would like the parliamentary delegation to make some changes in items B and C, because they contradict the Resolution 194. This cannot be a fair and permanent solution for the issue of the Palestinian refugees if it is based on settling them in their country of residence, compensating them or settling them in other places. The rights of refugees are crystal-clear according to Resolution 194: return and compensation.

Agreements, treaties and pacts will not prejudice the rights of the Palestinian people. We pass on the rights of the Palestinian refugees, our rights in our land and our return to this land which is our fathers' and grandfathers' land, to our children as an inheritance. We have no bad feelings against other people, other religions or races that reside in historical Palestine. I hope our friends, the members of the House of Commons, will convey our points of view in a clear way, and not connect them with the other official points of view which the representative of the Refugees' Committee in the Council of Europe, Mr David Atkinson, conveyed. The representative of the Refugees' Committee in the Council of Europe conveyed an incomplete report, which only included officials' and the official establishment's point of view. These groups only concentrate on their own interests and neglect the public points of view and the views of Palestinian refugees. I hope you will convey this point of view, which is held by Palestinian refugees and their representatives.

I would like to reconfirm that we hope items B and C will be cancelled, because they are biased and they release Israel from its moral and legal responsibility towards the rights of the Palestinian refugees. Consequently, we, the Palestinian refugees will never stop insisting on our rights. Honestly speaking, this is the difficulty that the Israelis and the Western world face. They only want to release Israel from any commitment towards the Palestinian refugees' right to return to their homeland. Palestinian refugees want the same as all other people in the world, to maintain their dignity, to live in their land in peace, to have security and to practice self-determination on their land.

The last point I want to make is to express my appreciation and confirm my sup-

port for what my colleagues Dr Arabid and Mr al-Hala said concerning this right of return, and that our public point of view as committees, people and as representatives of refugees says that we insist on this right.

Frankly speaking, if we the people of Palestine are going to be prejudiced against, and if the balance of power is not in our favour today, then we are going to hold on firmly to our rights in our memory and in the way we raise and educate our children. We insist on realising our rights, which are ratified by international law and international agreements. Thank you.

Ziyad Sarafandi:

I am from the town of Yibna. I am the director of the popular committee in the camp of Rafah. This meeting is very important, especially because it conveys the opinions of the refugees in the camps to the "authorities". I believe that you have come here to listen and to provide real humanitarian support to our cause.

Our cause has suffered oppression for generations. For 52 years, the international conscience and the human conscience have been absent. As a nation, we have suffered from the most horrendous types of racism and oppression. This has resulted in the fragmentation of our nation and nearly caused us to fade into oblivion, like some other nations in the past.

There was an international plan to transform the Palestinian people into a nation of refugees. However, due to the deep-rooted civilisation and the strong cultural heritage of the Palestinians, we resisted the powers that sought to destroy our identity.

This was done with a great deal of sacrifice and martyrdom, whether through the fierce fighting in Jordan and Lebanon, or in Palestine through the Intifada. It was done to confirm to the whole world that we are people who have rights that we adhere to, rights that are guaranteed by international agreements.

However, today I believe that there is a historic opportunity for the world, in which the Palestinian people are willing to take part, to establish a just, comprehensive and lasting peace. This will be achieved by solving the refugee problem, which is in the heart of the Arab-Israeli conflict. This peace, will, we hope, avert us from a cycle of violence in this region. It will enable us, as people and as refugees, to restart our lives, like the rest of the people in the world. This can only be achieved by applying our historic rights as they are set down in international law. In particular, we are talking about Resolution 194, which confirms our right of return. This is the basis of the solution of the refugees' issue.

By the way, there was verbal agreement between us and the Israelis, represented at the time by Prime Minister Moshe Sharett. According to a letter in this regard it was stated that an international procedural committee should be formed to implement the resolution of allowing 100,000 refugees to return at that time. However, the implementation was deferred because of the lack of international pressure and the general anti-Palestinian feeling at the time.

Now, after 52 years, we feel that there is an awakening of the international human conscience in general and of Britain in particular. We call upon the people, Parliament and the government of Britain to support the Palestinian people in fulfilling their rights. We do not demand the destruction of the State of Israel, we do not demand "throwing the Jews into the sea", nor do we demand the right to spill their blood. Palestinians who have lived in refugee camps for 52 years have lost all their belongings, property, their unity, their culture. The fact that Palestinians live as refugees in camps of 100,000 people and that those people are still living in poverty and suffering has never deterred them from demanding their right to return to their

country and properties. Fulfilling this right will not destroy the State of Israel or the world. This right will achieve a comprehensive and just peace in the region. We are willing to return to the State of Israel, and to participate in the political, social and parliamentary life of Israel. We have no objection or difficulty concerning this matter.

What I convey to you is the grassroots opinion of the refugees, which is undisguised by diplomacy. It is an honest and candid opinion. I wanted to convey it to you because it embodies the complete truth. This is the view that the implementation of Resolution 194 will be the solution of the Palestinian refugees' problem. Thank you.

Jamal Abu Habel:

I am the director of the popular committee in the camp of Jabaliya and the president of the Youth Centres Union in Gaza.

I am from the village of Burayr, occupied in 1948. We thank you for your interest in the subject of the Palestinian refugees. This meeting gives us a feeling for the first time that the British government is interested in this matter. We have felt that in the past the various committees that visited us before did not have a genuine interest in this matter. Your documentation of this meeting assures us that you are genuinely interested in the matter and communicating it to the House of Commons.

In the past many committees came and met with refugees and wrote reports that were based on subjective criteria, and then circulated in the US, Europe, etc. These reports have had a negative impact on the proceedings of this "peace show-down". I think that successive British governments have known more about the issue of the Palestinian refugees than any other country in the world, because the British government held the Mandate in Palestine. Unfortunately, in the past, British governments did not make any attempt to support those in the right.

We are hoping now that Parliament will support the Palestinians' rights and support the Palestinian refugees who are scattered in the diaspora and who are displaced within their homeland. Otherwise, guilt will haunt all those who know about the issue of the Palestinian refugees but do not support it. Britain knows more than any other country about this matter. The pain and the suffering of the Palestinians in their camps will haunt the entire world until matter is solved.

We, the Palestinians, are going through one of our most critical stages. In spite of all the suffering we are going through, we hope that peace will be established on Palestinian land. We hope that peace will be for everybody, equal and just. There is no differentiation between Jews, Christians or Muslims on this land. Let international law take its appropriate course. We are calling for a firm British stand concerning the issue of the refugees, and for UN Security Council implementation of Resolution 194 concerning the issue of the Palestinian refugees and their return to their homeland.

Unfortunately, the Israelis are still denying the right of return. Some who claim to support peace – and we have met a fair few of them – still reject the right of return of Palestinian refugees. They reject it to the extent that when we said "we are ready to live with you, in peace and security, in the State of Israel, sharing duties and rights", they said, "although we call for peace more than anybody else, we don't accept this scenario". So how can peace be established in this region?

There are many countries in the world, European countries, and America in particular, saying that the right of 4.5 million refugees to return now is a fantasy. However, we say it is realistic. During the last few years Israel has accommodated more than one and a half million Russians and Ethiopians. In the south of occupied Palestine, in 5,000 square kilometre area that lies between Ashkelon and Beersheba, only 60-70,000 people live. This is less than half the population of Jabaliya, where

over 100,000 people live on less than 1.5 sq. km. That means that the right of return is possible under all circumstances and everywhere. It is possible to implement the right of return now. Neither Israel nor America or any other country can reject the Palestinians' right of return. There is a possibility to implement this right and the world should put pressure on Israel to admit its historical responsibility for what happened to the people of Palestine in the same way that Germany did regarding the Holocaust.

I want to confirm what my colleagues talked about before. I want to say that there will be no peace and no security, either in the Middle East or in the whole world if the return of all of the Palestinian refugees to their homeland is not implemented. This right is eternal. We have lived for more than 52 years in exile and we may live like this for another 50 years, but we will never forsake our rights under any circumstances. Thank you.

Ahmad Sa'duni:

I am from the village of Yibna in Ramla district. I am the president of the people's committee in the city of Khan Yunis, in which 141,000 people live. In Khan Yunis Refugee Camp, there are 58,000 people living in an area of two sq. km. The population density of this camp is 29,000 people per sq. km.

We wonder what the opinion of the world is concerning the pressures that America is exerting on the Palestinian delegation and leadership? Why has there been no counterweight to America, which regards itself as a sponsor of peace but which is overtly biased towards Israel – contrary to the position the US takes regarding Iraq, Libya and other countries? We also wonder why there is no American intervention to recognise the rights of the Palestinians, and their right to implement the resolutions passed under international law. This displays clear double standards. Why don't the leading countries and the allied countries take a position towards that issue, just as they did during the Gulf war? We look towards the people of Britain and the British government to rectify the historical mistake that the British government committed on that day in 1917 which resulted in the Balfour Declaration, granting the Jews a national homeland in Palestine at the expense of the Arab Palestinian people.

The other point that I want to make is to confirm that the only preference is return and compensation for 52 years of suffering. I confirm what my colleagues have said and I confirm the historical rights and the historical responsibility. If peace is not established this way, and the suggested framework for peace is missed, then our people have other options open to them to extract their rights. We are totally prepared for martyrdom. Thank you.

Dr Ibrahim al-Habash:

I am the president of the people's committee in the camp of Dayr al-Balah. There are 43,000 refugees in this camp, which is the smallest camp and is the one of the most densely populated areas in the world. It covers an area of less than one sq. km. I am from the village of Jurat al-Mayta in the suburbs of Ashkelon.

As a medical doctor, I tend to use different criteria. Firstly, we are the real representatives of the Palestinian people as refugees. Secondly, in a world that only knows the balance of power and the immorality of politics, we confirm that we adhere to our rights and that people's rights cannot be denied.

Does the world have the ability to impose solutions based on international law? That's one point. The other point that I would like to stress is that if the delegation goes out on the streets of the camps and asks a group of youths where are they from,

the answer will be Ashkelon, Isdud, Yidna or Yabna, despite the fact that not only they themselves but even their parents might have been born in the camps. That means that even after 50 years, the world cannot dilute the Palestinians sense of identity, neither in the camps nor the diaspora. We are still suffering inside, and we still regard ourselves as refugees. Therefore, searching for ways to disperse us or to compensate us instead, is doomed to fail.

The final point is that we accept the right of return, or rather, we demand that right. We know Israel and the Israeli people better than anybody else. They have evolved from a humanitarian issue on the back of World War Two into a racist state and an extremely right-wing society that holds hatred towards others. Ehud Barak said recently that Palestinians are snakes.

Taking all this into consideration, we wonder what the solution is, and how it will be implemented. We are not going to relinquish our rights, not even if it takes a million years. History is on our side. Thank you.

Khamis al-Turk:

I was born in Bir al-Sab'a (now Beersheba). I have an Israeli identity card that proves that I was born there. I am the representative of al-Shati' (Beach) refugee camp. More than 100,000 people live in and around this.

I would like to welcome you to the land of peace, the land where Israel has killed peace. This Holy Land was always the land of peace. It witnessed the revelations of religions. Whenever there was confrontation, it was brought to an end in Palestine, the land of peace. We, the people of Palestine, want to bring peace and security again into the world. However, there will be no peace without giving the sacred right of return to the people of Palestine. We do not want resettlement and we reject it outright.

When my five brothers, my sister, my parents and other relatives and I left Beersheba, there were about 25 of us, all born in that city. Our extended family was about 200 people. Now we have become 1,500 people, all part of one extended family. The same is true of thousands of Palestinian families.

Israel denies our legitimate rights, denies that we used to own more than 96% of the whole of Palestine, which used to be 27 million dunums, i.e. 27,000 sq. km. In spite of this fact, we played host to the Jews, who did not exceed 4% of the population. We welcomed them, accommodated them, intermarried with them and were partners with them in trade. We took them as part of us. The British government and the British people are well aware of these facts.

The international community, which did not have the right to partition Palestine, gave 55% of the land to those who did not have the right to own it. They gave us 44% of Palestine and internationalised Jerusalem, which was the remaining 1%. We demand the implementation of the partition plan despite the fact that it is unjust, and does not guarantee us our full rights. Israel was admitted into the United Nations through UN Resolutions 181 and 194. Israel accepted these resolutions. We only request the implementation of the same resolutions. UN resolutions are applied and enforced by the Americans on Iraq, Libya, Bosnia-Herzegovina and the rest of the world. But not in regard to the legitimate rights of the Palestinian people. Why the double standard? We are appealing to the conscience of the whole world. We thank the people of Britain and the British parliament. We thank also the British government who, driven by guilt, are trying to set things right. You came here to find out the truth and we welcome you here.

Although my children are very young they have visited my city and my family

home many times. There was an apricot tree in the house which was later uprooted. My son asked: "Where is the apricot tree that use to be here? Why did you uproot it? It is our roots, our heritage, our land. Why did you uproot something that you do not own?" he asked many times. Finally, the person who usurped and occupied our land laughed and said: "I did not uproot it. My government did that. I do not have the right to uproot anything."

Israel claims that there is no space to accommodate 4.5 million Palestinian refugees if they returned to Palestine. Therefore, we want to tell Israelis that they live on an area of 1,800 sq. km, which is only 18% of the area of Palestine, while the rest of the country is uninhabited. We want to return to our homeland to live, even if we have to live under the Israeli flag, because this is our land and our homeland. We will live there peacefully and we will re-establish peace on the land of peace. Our political discourse is one and united and we will never be diverted. We will exercise our sacred right of return and compensation for what we have suffered over 52 years. We can forget the 52 years of suffering and start anew; the options are open. You are peace messengers, reflecting our people's feelings. Welcome to the land of peace, and we shall bring back peace to the land against all odds. We welcome you to your second home, Palestine.

Nasr al-Din Jabr:

I am vice-president of the public committee in Burayj. I am from the village of al-Maghar, in Ramla District. I have been elected three times to the camp's general assembly, which is convened annually in the camp. I don't receive any money for doing this work.

I was elected on the basis of my adherence to the right of return for refugees and for compensation for 50 years of exploitation of our land.

In response to Question 6 – "Have you discussed this subject with your institution and its members?" - yes, we have discussed this and all of us are prepared to live with Jews in a democratic state free from discrimination on the basis of race or religion.

Practically speaking, it is feasible for all refugees to return to their lands that are currently under absentee ownership in Israel, occupied by Israeli farmers. There is no problem in taking back my land and placing myself on it, not from the Israelis.

Also, Palestine is large enough for all the Palestinian refugees, inside or outside Israel, to live side by side with the Israelis.

In the same way, Jews all over the world have a right to return to Israel even if they were not born there, or have not lived there and do not have the deeds to the land. Thus, it is logical that I should have the same right, to return to my land and get some use from it, particularly as I am the owner of the land; I have the deeds and the keys to my home to this day.

Accordingly, the answer to the three options, as stated in Resolution 194, is to return to my land and to live on it.

Finally, I would like to witness the moment when the international community forces Israel to implement international law as they have done with Iraq, in order for justice and equality to be achieved. Thank you.

Abdullah Arabid:

I would like to point out that all our comrades here are elected volunteers. They do this work on a voluntary basis. They do other work for a living. The people who have spoken here are the chairs of the public committees from the eight camps in Gaza. Everybody has spoken on behalf of himself, the committee and the camp.

Abd al-Rahman al-Hala:

I am chair of the public committee in al-Maghazi refugee camp. We apologise to the delegation for having talked too long and for not sticking to the questions, the reason being that we were not satisfied with the questionnaire or the survey. I think you now know who we are and where we are coming from, and you can determine what we want. You have listened to ordinary people here. What you have heard from us here is from a different angle to what you might be used to hearing outside. You're probably used to hearing from officials, but this time you have listened to ordinary people and, for this reason, some differences of opinion might occur. We apologise for any inconvenience.

Jamal Abu Habel:

I want to mention a report which was published previously and distributed in Europe. The report was by David Atkinson, who met many refugees and officials. When we read a copy of his report we could not believe the information that was included. The contents of this report did not portray the real situation.

Ernie Ross MP:

All that you have said is being recorded on this tape and will be included verbatim in the final report.

Neil Gerrard MP:

Regarding the elections for the People's Assembly and public committees that were conducted in 1995. How often were elections, were they every year for example? And when were the last public committee elections held?

Abdullah Arabid:

The elections have been held since 1995. We started to form the public committees by setting up preparatory committees for each camp. In 1996, public conferences were held in each camp on the same day in July. The conferences were held in all eight camps at the same time. We finalised these conferences with a general Public Conference that was held in the Palestinian Legislative Council on 17th September, 1996, which was attended by representatives of all public committees in Gaza, and was opened with a speech from Yaser Arafat. It was attended by representatives of all Palestinian institutions, particularly in Gaza, and from human rights NGOs. The international and local media covered this event.

Neil Gerrard MP:

Were there invitations for this conference?

Abdullah Arabid:

No, we were elected by the committees, the first election being held in 1996. Those who attended the Public Conference came from the public committees. After that, we had re-elections in 1997. The elections are held every two years. We have a memorandum which was drafted at the 1996 conference and was approved at the conference in 1997, and we decided that the conference would be convened every two years. The last election was in 1999.

Nick St Aubyn MP:

I have noticed from the speeches you made that you are interested in setting up a pre-

cise plan of action to activate the right of return for Palestinian refugees. Have there been any discussions with groups of refugees in different refugee camps with the aim of setting up this action plan with a timetable for this right to be realised?

Jamal Abu Habel:

Regarding this issue, yes, there are regular meetings of the public committees, sometimes committees meet every week, others meet twice a week. One or two weeks ago, we had two meetings in the West Bank with refugee public committees and youth leagues and women's organisations.

Nick St Aubyn MP:

Is there a certain time that you hold these meetings?

Jamal Abu Habel:

No, this is new. In the past, in 1995, there was coordination to form public committees in the West Bank and Gaza Strip but no meetings took place, because we were banned from travelling for a long period. Now there are communications with refugees in the West Bank and there will be a meeting there after four days on 6th September.

Nick St Aubyn MP:

Have the action plan and the timetable been discussed between the refugees and their representatives?

Abdullah Arabid:

We are currently working on this, to come up with long-term plans, because we believe the refugee issue will not be solved in secrecy.

Nick St Aubyn MP:

Action plans include Gaza and the West Bank?

Abdullah Arabid:

Yes, they include Gaza and the West Bank, and the diaspora.

Abd al-Rahman al-Hala:

After five years of refugee public committees, these committees have carried on and have become a landmark. This did not come out of nowhere, but was part of a programme to organise the administrative affairs of the refugee public committees, in parallel. Work was done with ordinary people to evoke their memories of the issue of refugees.

Over the six years we had developed administrative, cultural and media programmes. We experience difficulties most of the time due to a lack of resources and to our reliance on voluntary work. Despite this, we have managed to deliver a message to every Palestinian that he has to stand up and steel himself to defend his case within an organised and well coordinated programme. Now, we are on the brink of starting the second stage of the programme, which is aimed at building a network between the refugees in the West Bank and Palestinian refugees in the neighbouring Arab countries, the countries that host the majority of Palestinian refugees.

Some people working in research centres came from Britain to talk to us, and we have coordinated with them. And we have a joint programme with France to raise

awareness of our cause. In many European countries we have managed to build a wide network that we are working to develop. At each stage of the programme, we evaluate and make alterations.

Ziyad Sarafandi:

I am from Rafah refugee camp. I am the chair of the refugee committee. The first point I would like to make is that I am not the first elected chair of the committee, I am the second. Secondly, the people's committee has created a public political movement that is focused on the refugee issue, that has challenged any proposition aimed at annihilating refugee rights, and which adheres to the right of refugees to return to their homes. The third aim is, as far as possible, to improve the situation in the camps; to allow refugees to live in dignity and security during this interim period until their return.

These are the aims of the public committees which were created from 1995. The public committees all over Gaza were represented by the eight public committees and by the executive bureau, which is the first institution to lead all refugees in Gaza. Although we cannot anticipate a certain and specific period of time for our return, all our plans and programmes are focused on these aforementioned aims. All our programmes and plans are aimed at mobilising the people in the camps through the public committees. At the same time, they are to be a direct communication link with the Palestinian negotiators, and to be a pressure group and a voice for the refugees, to persuade the negotiators to face up to their duties, and to obtain our right to return.

Ernie Ross MP:

There are two points that you have focused on: the right of return and compensation.

There is a point related to compensation. Mr Abdullah, you mentioned before that there are two types of compensation: economic and psychological compensation. Could you elaborate on the second type of compensation, psychological compensation?

Abdullah Arabid:

Our records show that expulsion started in 1948 and has continued until now. We had land, properties, homes and other buildings, some of which were destroyed at the time. We want compensation for these things. A lot of killings have taken place inside Israel, such as the Deir Yasin massacre. We have recorded around 154 massacres committed against our people over the years until the current day. There have been many martyrs, many injured, a lot of people who are suffering from post-traumatic disorders as a result of these massacres. We now have the sons and daughters of those who were killed. We have figures and records documenting all of this. Since 1948, many of our children have become orphans. We also have the victims of those massacres that took place, post-1948, in Gaza, Khan Yunis and Burayj. These massacres were aimed at scaring people into not returning to their lands. We will mention one of these massacres as an example: Moshe Dayan spoke to the settlers in Beersheba, telling them that the Palestinians wanted to force them off these lands. He said that it was their land and to keep it would involve bloodshed. This was a clear endorsement from Moshe Dayan to the settlers to use weapons against Palestinians in order to scare them off so that they would be too frightened to return. All of this is psychological hardship. Blood has been shed and people injured. Who will compensate us for this?

Nick St Aubyn MP:

What type of compensation are you expecting from Israel? You talked about the psychological hardship and compensation in respect of massacres.

Abdullah Arabid:

First, Israel must accept responsibility; it must admit that it committed these massacres. Second, it must compensate the victims and their families for what happened to them.

Nick St Aubyn MP:

Do you expect to receive financial compensation?

Abdullah Arabid:

I said, recognition and an apology, and then financial compensation.

Unidentified speaker:

I want to say that Jews are asking the world to compensate them for the Holocaust, and are reminding the world of the Holocaust every year. I deserve the same as the Jews. I want recognition and an apology; I want both psychological and financial compensation for my suffering. As a human being of 45 years, I don't feel that I am treated equally even in Arab countries. The name of Palestine is not respected in either Arab or European countries. Who is responsible for this? I feel that I have been insulted by the international community. I do not have a passport. I am used to being stopped at airports and accused of being a terrorist in spite of my being a victim, who has right on my side. I have been suffering from these things for a long time and I want to end these sufferings and I want compensation.

Neil Gerrard MP:

Some of you said that there is proof that you own these lands and houses and we are aware that some families still hold some deeds, land registrations or keys. Do you have any other sort of evidence or proof of ownership for these properties? And where are they?

Abdullah Arabid:

During the Ottoman period, we had what were called 'Tabo' papers, which are the deeds of the land, issued from an office that used to be in Jerusalem. After that, these papers were removed to Turkey and are still there in Ankara. Also, during the British Mandate, they moved the same documents to London from the late 19th century to the end of the Mandate. All of these documents are in Turkey or Britain. We believe that the UN documentation sub-committee established three years ago has collected 450,000 deeds of land ownership. This committee [UNCCP] was established a long time ago, but started collecting these documents only three years ago.

Jaffa Cultural Centre, Balata Camp, Nablus, 3rd September
2000

PARTICIPANTS:

Hussam Khadr — Jaffa
Shaher Badawi — Abbasiya, Jaffa
Taysir Nasrallah — Qa'qun, Tulkarm
Dina Habash — Bayt Dajan, Jaffa
Ibrahim al-Jammal — Haifa
Ahmad al-Masri — Bir al-Sab'a
Muhammad Qurani — Shaykh Muwannis, Jaffa
Rami Ja'rim — Fajja, Jaffa

Hussam Khadr:

Comrades, these people have come as a committee to investigate the options for refugees with regard to refugee rights. We also have questions regarding the right of self-determination. These people have come here to have a debate – but they are also here to listen to your answers, the refugees, regarding Resolution 194 and all issues related to it, and the right of self-determination. They have come to listen and there are several questions in this paper which address this vision and the situation regarding Resolution 194.

Shaher Badawi:

I am a member of the Jaffa Cultural Centre. I am a coordinator for Badil in the north of the West Bank. After reading the paper they have presented, and the meeting in Aida refugee camp, we have a short contribution.

Just a thought – a discussion: the questions that are presented regarding the return, absorption and resettlement are causing some sensitivity to representatives of institutions within Palestinian society, because this affects their credibility and their communication with the people to whom they are providing services.

When the people in the Jaffa Centre or in the Committee for the Defence of Refugee Rights find out that I took part in the referendum and answered these questions, they will accuse me, because they will be concerned that I have waived the basic principle of the right of return.

For this reason, and throughout the history of the Palestinian people or the history of the Palestinian-Israeli conflict, any political, social or trade union bodies, or any organisation that has any institutional responsibility, has had the right of return as part of its programme. This is considered to be in line with public opinion.

Many prominent Palestinians and leaders have put forward "economic improvement", not as an alternative to return, but because people feared that it could be used as an alternative to return, they lost their leadership positions.

I anticipate that the most important thing is not to discuss the right of return. We will talk about that in detail later. The first step is recognition of the right of return by Israel and the international community as the right of Palestinian refugees. When this is accomplished then I can begin to look at the details. Then it would not be a problem.

I also anticipate that through raising these questions with Palestinian people, members of the institutions and the public, that by focusing on the right of return, you will get the support of the people for any activities you carry out.

Hussam Khadr:

The truth is, as soon as we heard about the arrival of the Parliamentary delegation's fact-finding mission, we regarded this as a very positive, gratifying and respectable thing.

Some Arab satellite channels such as MBC and Al Jazeera have talked about these subjects a lot and it was brilliant. This was two or three days before your arrival in Palestine.

We met Peter Hain last year. In fact, we the Palestinians feel that Britain, as a country with a history and a leadership role in Europe, has to intervene in this issue to solve a problem of which Britain was one of the causes. Between 1905 and 1948 Britain played a negative role towards the Palestinians by practically sponsoring Zionist immigration to Palestine. It played a prominent role in the expulsion and the weakening of the Palestinian struggle to the benefit of the Zionist movement.

Accordingly, if we go back in history, we will find that, as well as Germany having role in this, Britain also has an obvious role.

Accordingly, the situation of Palestinian refugees as it now stands requires that all peace-loving powers, parliaments and organisations defending human rights intervene.

Subsequently, we have to rely on you. And we are relying heavily on this very important visit, because, as we heard on the news, you will be producing a report. These objective reports, written by a group of concerned people, will make British and European citizens face up to the truth and realities of the Palestinian refugees.

As Palestinians and refugee leaders, we insist that we cannot talk about historical reconciliation or a permanent political solution without the return of the refugees.

Taysir Nasrallah:

I am the chair of Jaffa Cultural Centre. I participated in the meeting between the committee and the representatives of refugees in Aida refugee camp. I expressed my opinion frankly on the questions drafted by the committee. In some meetings there was some debate and discussion amongst some circles about the importance of the role of the committee and what it wanted. We hope that this picture is reflected through what the committee will hear, and through meetings with other committees. Many visitors who want to investigate the facts and to learn about refugees' opinions come to this Centre. I hope that this will be an awakening of their consciences, and that this will redress the balance.

In spite of Oslo, peace agreements and the Israeli withdrawal from part of Gaza and the West Bank territories, we still feel hatred for Israel.

Despite this, as I said in the Aida refugee camp meeting, as a Palestinian refugee, I am prepared to live in the village from which my parents and grandparents were expelled and I do not mind what authority governs me.

I have a personal history full of suffering at the hands of the Israelis. I was detained for the first time when I was 18 years old and after that, I was detained time and again, ten times in all.

I spent approximately five years in the prisons of the occupation. During this period I was subjected to all sorts of interrogation and torture from Israeli interrogators.

In 1985 Mr Khadr, others and myself were put under restriction orders. This was intended to ban us from entering al-Najah University where we were studying. It was a limited restriction order in that we could go to any area and we had to sign in every day at the police station, but we were not allowed to enter the university.

This was the first decree by Israel banning students from entering university. The

person who issued this decree was Ehud Barak, the commander of the Central Zone at the time, currently the Israeli Prime Minister.

After that, and during the Intifada, Mr Khadr and I were expelled to Lebanon, and we lived for a period of time in the diaspora.

I have mentioned these examples to show the level of hatred that has been generated amongst us as a result of the suffering inflicted on us by Israelis.

Recent years have not brought them close to our hearts.

However, I am pleased about the Israeli withdrawal from part of Gaza and the West Bank territories. But when you travel between cities and villages, you immediately discover that they have not left, as you will see.

Despite all of this, I assure you that we are prepared to live under Israeli authority in the territories, towns and villages from which our parents and grandparents were expelled. I said this at a conference in Greece last year, which was attended by Palestinians and Israelis.

I was surprised that Israelis of both the left and the right regarded me as an enemy of the Israeli people, and thought that I wanted the destruction of the State of Israel. Just like that! Because I said, as I mentioned before, that I am prepared to live as the one million Arab Israelis are living, inside the State of Israel. They regarded me firstly as an enemy of the State of Israel. Furthermore, by saying that I was an enemy of the State of Israel and the Israeli people, that I wanted the destruction of Israel, they tried to leave the session and go straight back to Israel.

This is confirmation that I am making a concession in my request, because I was hoping that all Palestine would be ours.

On Thursday, we visited Haifa and Acre, accompanied by 50 children from the friends of the Centre. We were gripped by anguish while we looked across this wide land, which is enough not just for the Palestinian refugees, but for all the Palestinian people. There are vast lands, which are enough for all of us to live in a democratic state where freedom is respected.

So far, changes have occurred in the mentality of the Palestinian refugees, but now I see radicalism. There is an internal anger that is squeezing the Palestinian people. This radicalism is not an individual trend. Now, I am not able explain, and I do not know how far this radicalism could go if things continue like this.

Again, I am pleased about this meeting with the committee, and I think that their role is an important and vital one for us.

Here is Sister Dina Habash. She is the chair of Administrative Institute of Women's Activities at the Balata Centre.

We also have here young friends of the Centre, who have been given permission to attend today by the school's head teacher.

We would like you to listen to them; to this younger generation who are living under circumstances different from ours.

Nick St Aubyn MP:

Are you saying that you are prepared to return to your original village under Israeli sovereignty? But have you thought about the structure and the human rights mechanisms that you will live under, and what sort of things do you consider could protect you from the harassment that you might be subjected to under Israeli sovereignty?

Taysir Nasrallah:

Definitely, I have thought about it and I know exactly: anybody who has entered an Israeli cell knows Israel better than others do. I used to say, if you want to know the

real face of Israel, you should meet an Israeli intelligence officer. I know the extent of its racism, in spite of all this blathering about democracy.

However, all this will not prevent me from exercising my right to return according to Resolution 194. There are more than a million Palestinians exercising their political rights and participating in the Israeli parliament and government. There is a civil society there and I will be part of this society.

This is a dream.

Dina Habash:

I am the manager of Dramga Women's Centre in Balata refugee camp. This Centre was established in 1975. I am from the Dagen family in Jaffa, Palestine. They are famous for farming, craftwork and embroidery. This Centre was established by some women from the camp.

In the beginning it was limited to sewing activities. Then it developed step by step. They asked for cosmetics in the Centre. They requested manual embroidery, keep-fit and computer literacy lessons. Our Centre is doing all of these activities and is holding courses. Moreover, we hold political, health and science lectures. Between 60 and 70 women use the Centre every day.

Of course, we will not forget the generosity of the Committee for the Defence of Refugee Rights, which supports our activities, and also the Working Women's Association, which supports us in organising seminars and lectures.

Ernie Ross MP

What do you think about the right of return and compensation?

Dina Habash:

Of course, the right of return and compensation. Not just the right of return, but compensation as well.

Ernie Ross MP (addressing a group of schoolboys):

Do you consider yourselves refugees?

Boys:

Yes.

Muhammad Qurani:

I am from the village of Shaykh Muwannis near Jaffa. I am a friend of the Jaffa Cultural Centre, which frankly, is keeping these children off the streets.

Neil Gerrard MP:

Have you ever seen Shaykh Muwannis?

Muhammad Qurani:

I have never seen it.

Neil Gerrard MP:

Have any of you visited their old village?

Ibrahim al-Jammal:

I went to Haifa on a trip last Thursday.

Neil Gerrard MP:

What did you see, and how did you feel?

Ibrahim al-Jammal:

I saw the harbour. I felt that I must go back to my original country. Nobody can prevent me from returning to my country.

Nick St Aubyn MP:

With regard to the young people, in the light of the present negotiations, are you discussing what will happen regarding the issue of refugees?

Ibrahim al-Jammal:

Yes, we are discussing this subject.

Neil Gerrard MP:

Do you feel that your voice has been heard in the present negotiations or not?

Ibrahim al-Jammal:

No, it has not been heard.

Neil Gerrard MP:

And, women, do you feel that your voices have been heard in the present negotiations?

Dina Habash:

No, we are talking and nobody is listening, unfortunately.

Ernie Ross MP

How old are you?

Ibrahim al-Jammal:

I'm 15.

Ernie Ross MP

When will you finish school?

Ibrahim al-Jammal:

I will finish the Baccalaureate in three years.

Ernie Ross MP

Do you have an idea about what you would like to work as in the future?

Ibrahim al-Jammal:

I would like to be a lawyer.

Hussam Khadr:

We have here refugees from 69 villages; 95% of the refugees in Balata camp come from 69 villages in the northern Palestine.

Ernie Ross MP

Inside Balata refugee camp, have you discussed the options that have been offered to you as refugees?

Rami Ja'rim:

My name is Rami Ja'rim from Fajja, Jaffa. We oppose the negotiations because we know that negotiations can only fail unless Israel gives something up. And this is impossible, because whenever it gives up anything, it takes something in return. This is Israel's only policy – never give anything without taking something in return.

I mean, if they give up a piece of land or evacuate it, they occupy another area in return.

And the refugee problem will be dealt with in the same way.

If, for example, any Israeli gets shot, they close the streets and organise protests, but if an Arab gets shot, they protest for one or two days and that is it. In other words, if Israel is boiling at 100 degrees, we are boiling at 1000 degrees.

The Committee For the Defence of Palestinian Refugees Rights, Nablus

Submitted as written evidence

The prevailing political winds have focused efforts on finally reconciling the Palestinian Israeli issue. The resulting dialogue has presented an historical opportunity to find a framework within which the legal rights of Palestinian refugees can be addressed, as defined by both international law and a variety of United Nations resolutions.

The majority of refugees are still living in camps amid overcrowding, poverty and despair. In light of the negligence shown towards these camps by the peace process and in the absence of basic services and infrastructure priorities, a group of refugees from the nineteen camps decided to hold a meeting on the 9th August 1994. They studied the situation in the camps and looked to their future in light of the new political milieu. The result of this meeting was the decision to create a committee to defend the rights of Palestinian refugees. The main aims of this committee are as follows:

- * To give the Palestinian refugee issue the attention that it deserves.
- * To improve the situation for the inhabitants of the camps by supporting UNRWA and Palestinian Authority projects.
- * To look after children and teenagers, both male and female, in an effort to remove them from the cycle of violence fostered during the struggle against occupation. We aim to encourage youngsters to develop a new kind of social life in an effort to counter the effects of the Intifada on social conduct.
- * To encourage democratic and civil awareness through courses, lectures and camps.
- * To arrange meetings between mixed groups of students and academic researchers and specialists as well as establishing lines of communication with other cultural and academic institutions.
- * To arrange festivals and a variety of activities involving youth organisations in theatre projects.
- * To participate in preventing domestic problems and violence.
- * To encourage dialogue with Israeli peace groups through exchange projects.
- * To aid and assist outstanding students, the sons of Palestinian refugee martyrs, as well as the underprivileged.
- * To raise awareness of health issues among the younger generations, regarding drug addiction and the dangers of smoking.

Having decided to find permanent premises, the representatives of the nineteen camps elected a steering committee chaired by Hussam Khadr. This elected committee aims at providing the following:

- * Non-profit making computer centers.
- * Non-profit making medical laboratories.
- * Extensive library resources for younger generations.
- * Producing studies about the situation in refugee camps.
- * Publishing a periodical addressing a variety of relevant subjects.

* Access to the Internet.

* Arranging summer camps and peace camps for both boys and girls, Israeli and Palestinians.

District :

Honorable Family Pledge To Return

We are members of the Family..... From..... District.....

Who were displaced by force, from our homeland Palestine in 1948 by the Zionist murder gangs with international and Arab connivance. Our property was confiscated and our villages were destroyed and we have been living in the Diaspora and exile for 52 years.

We swear by the Great God and the blood of our martyrs
That we will not ever

Give up our right to return to our houses, villages and towns and we will not accept any compensation whatsoever in return for our individual, collective, legal, political, historical, and humane right to return to Palestine. We also refuse resettlement, rehabilitation and absorption as an alternative to our national rights.

We do not delegate any person whatsoever to give up our national rights on our behalf.

Herein, we sign

Ghassan Khatib:

There is concern about the way in which the refugee issue is being minimised as part of the final status negotiations. The impression in the western media is that the Camp David talks had resolved all final status issues apart from the issue of Jerusalem. At the same time, Palestinians heard the Israeli stated positions on these issues and found them to be non-starters for successful negotiations. There is a great deal of concern, particularly on the refugee issue, about what had actually been decided at Camp David.

After discussions with some of the negotiators at the talks, it transpired that nothing had been agreed on the refugee issue at Camp David. Israel still refuses to acknowledge its responsibility for creating the refugee problem. Israel will not recognise the right of return and will not allow actual return. The maximum on offer is the well known position of the Israeli Labour Party which is to allow some family reunification cases on a humanitarian basis, to be determined by the Israeli government.

In short, the impression being given by the Israeli government and others, that most of the final status issues are solved or solvable, is apparently incorrect. Also, after many debates and articles on this issue by leading Palestinian personalities and politicians, it is clear that the refugee issue is no less important for the Palestinian people than the issue of Jerusalem. There is clearly a lot of work to be done before we can say that progress is possible.

Dr Salim Tam'ari:

One of the major fears of refugees in the current climate, is that the issue will be treated as a trade-off in the negotiations. The Palestinians will gain some concession with regard to Jerusalem, and have to pay for it in return for a major concession with regard to the refugees. This is the main fear in the eyes of the refugees and their representatives.

It is clear that the issue of refugees was not discussed in any detail during the Camp David talks. This is a source of concern. However he pointed to the fact that certain taboo subjects had been raised at Camp David and that the right of return was beginning to be discussed within Israeli society. However, the scale of the refugee problem is monumental.

With regard to the issue of refugees as a final status issue, it was pointed out, that no Arab State would be prepared to contemplate a solution that did not involve Israel allowing for the return of the refugees to their homes in Israel.

During a recent study of Palestinian refugees in Lebanon, it was found that scores of villages still exist in the Galilee, which have relatives and Arab populations willing to assist in the process of absorbing refugees from Lebanon. There are 360,000 registered refugees in Lebanon, half of whom are either in the Gulf states or have recently emigrated to Denmark, Sweden or Norway; a few have gone to Canada and the US. Resolution 194 means that they must have the choice of return. No Palestinian leadership will accept a selective application of that right. They might want to stay where they are, and if they don't want to become Israeli citizens, they might want to move to a new Palestinian state – the question of choice is central to a solution to the refugee situation. Once the principle of choice is established, then concrete possibili-

ties can be discussed.

Dr Tam'ari was asked how he saw the refugees becoming involved in reaching a solution as part of the peace process.

Dr Tam'ari:

Procedurally, representatives of the refugee communities will have to be involved in the negotiating process. Also, packages and options will have to be openly discussed in forums throughout the refugee diaspora. Most importantly, the options will have to include repatriation i.e. return to pre 1948 Palestine. If this is included a major breakthrough will have been achieved. Currently, this option is not on the agenda.

It is important to realise that for Palestinians who originally came from northern Palestine, now the Galilee in northern Israel (and now residing in Lebanon) settling in a new Palestinian state does not constitute return; it is rather, resettlement.

Dr Tam'ari was asked if refugees in Syria and Lebanon have the same opportunities for involvement in the peace process as those refugees in West Bank and Gaza.

Dr Tam'ari:

It is fair to say that it is not easy for refugees in Syria and Lebanon to make their views heard. Representative refugee organizations are better established in the West Bank and Gaza and also in Jordan.

Dr Tamari was then asked about the issue of compensation.

Dr Tam'ari:

All refugees are entitled to compensation. It is not a question of compensation or return. Political desires have to be satisfied as part of an overarching deal that would include compensation.

Compensation cannot just be dealt with in monetary terms. How can you assess suffering and deprivation over 50 years for people who are either dead or have lived over generations in deprivation because they were robbed of the possibilities of a normal life had they stayed in their homes.

Compensation will have many dimensions. Jordan for example, is claiming compensation for having provided services for refugees. Packages will have to be worked out for individual and collective categories of claim.

Restitution of property need not necessarily lead to eviction of people from their homes; this is something that the Israelis naturally fear. There are precedents from former Jewish properties in Eastern Europe and Germany where people have made claims to their properties while the residents of the property continue to pay rent to former owners.

Dr Tamari was then asked to comment on the Commission's impression that refugees were not willing to discuss the details of a possible settlement.

Dr Tam'ari:

The central reason for this feeling is that to date, the right of return is not even being discussed by the Israelis.

Dr Tam'ari was asked about the dialogue that had taken place between refugee groups regarding right of return.

Dr Tam'ari:

Many popular committees sprang up in the camps after the Oslo Accords were signed. These committees were coordinated and helped by the office of As'ad Abd al-Rahman.

One subject on which all the refugee groups are agreed is that the international community is running down the status and resources of UNRWA as a prelude to withdrawing it completely. If this proves to be a reality it will lead to a dangerous situation. You cannot bury UNRWA before resolving the refugee situation to the satisfaction of all parties.

Rather, proposals have been made to restructure UNRWA and to reactivate UNCCP in New York. UNRWA would become the caretaker organization for administering the option of repatriation, resettlement and compensation and restitution and the UNCCP, which was set up by UN 194 and which houses all the refugees property files, would oversee the assessment of property and establish procedures for compensation. It has also been suggested that all UNCCP property files be put on a website and made available to refugees.

Peter Hansen:

He began by reminding the meeting that UNRWA was an apolitical agency, whose goals were entirely humanitarian. UNRWA services are limited to providing much needed humanitarian services to the Palestinian refugee communities. He added that remaining apolitical was extremely difficult in the prevailing political situation.

He spoke of the difficulties in maintaining this apolitical profile. Whatever UNRWA does and says, or fails to do and fails to say, has profound political implications for how the refugees see themselves, how they define their own problems and how they see their future.

He illustrated the point by describing an recent incident where a Western Embassy Spokesman had accused UNRWA of having a negative affect on the negotiating process, by setting the refugee communities and their leaders up against making any concessions. According to this view, UNRWA was working against the need for flexibility in the refugee community. The Commissioner General said that this was nonsense and that UNRWA avoids being involved in this sort of political debate. Individuals might have very strong views about the situation, but no one would risk damaging the mission by repeating them publicly on UNRWA's behalf. This would run the risk of the donor community coming under pressure to withdraw the precious resources that UNRWA exists on.

It was important for the Commission to understand the constraints that UNRWA operated within.

UNRWA is an organisation that has been created by a UN Resolution. It is important to realise that this resolution makes reference to UN General Assembly Resolution 194. The right of return is not only based on Resolution 194, it is also enshrined in the Universal Declaration of Human Rights and related conventions.

UNRWA seeks to ease the pain of the current situation for Palestinian refugees. Considering the immensity of their losses, this help can only be marginal.

Mr Hansen was asked if UNRWA played any role facilitating dialogue between refugees in UNRWA's five fields of operation?

Peter Hansen:

UNRWA did not provide a specific mechanism for such a dialogue, but by its nature, UNRWA was the prime educational institution in the region and had trained thousands of teachers and doctors; these people are community leaders and the natural disseminators of views and opinions. In this sense only, UNRWA was involved in the national dialogue.

UNRWA is undoubtedly caught up in the Palestinian national identity. To Palestinian refugees, it means that the International Community recognizes Palestinians as a people. The UN not only adopted UN General Assembly Resolution 194, but it created UNRWA to look after refugees in the wake of what they call the "great catastrophe". UNRWA is international recognition in a very visible way. There is a special and quite unique relationship between Palestinian refugees and UNRWA.

UNRWA has a long history of involvement. It started its operations at a time when Yasser Arafat was still a young student in Cairo.

An aspect of UNRWA being so closely associated with the Palestinian national identity, is that when the organisation becomes "impoverished" by the international

Community (in the words of Kofi Anan) it is seen by Palestinians as the undermining of their national cause. The cut in resources mean that there might be 55 children per classroom or 110 patients per doctor per day. Palestinians see this as a prelude to full withdrawal. Refugees don't want anyone or anybody to take over any of UNRWA's services, because in a similar way, they see it as undermining and an eventual withdrawal of UNRWA altogether.

Mr Hansen was asked what thoughts UNRWA had about how it might evolve in the future.

Peter Hansen:

This was another extremely sensitive area. He said that work had been done within the agency to discuss the future, but that it was too sensitive to discuss this with the refugees themselves. UNRWA did not want to do anything that would fuel the fears that the agency was beginning to withdraw. He is aware that UNRWA must prepare itself for whatever contingency occurs. It is impossible to discuss these ideas more widely.

He remarked that many senior UNRWA staff were being poached by other institutions or agencies, because UNRWA could no longer pay competitive salaries. Even this is construed by some refugees as proof of UNRWA's demise.

Mr Hansen was asked about the awareness of donor countries of the conditions in which UNRWA is forced to operate and the political impact of the cuts.

Peter Hansen:

In his experience, the donor community wanted it both ways – to continue to reduce funding for UNRWA and also to avoid the political storm that these cut-backs in services would provoke.

He told the Commission that as part of UNRWA's reforms with implications for the future, he had introduced a new salary system for UNRWA institutions. One of the useful side-effects of this change has been to reduce the salary differential between UNRWA and national institutions.

UNRWA is the largest mine of data with regard to the refugees. This is something that is unique to UNRWA and part of the history of the agency. Many of the archives that exist are in a bad state and are in environments where they are disintegrating. There is a very strong need to preserve that documentary legacy of the Palestinian people.

With regard to UNRWA's immediate future, Mr Hansen is concerned that UNRWA will continue to exist in name, but that services will be so reduced that what was once a leading institution in the field of access of women to education, quality education for children, vocational training, and high standards of healthcare, will be reduced to a pale imitation of what it was.

The process of preparing for Palestinian national institutions (wherever the State will be) to take over from UNRWA institutions will be a natural process, because UNRWA has well-trained Palestinian staff. There are only 98 international staff and 22,000 local staff. But that transition will only occur after a peace agreement has been generally agreed.

Sami Mashasha (UNRWA):

Mr Mushasha spoke to the Commission as an UNRWA employee and as a refugee.

He told the Commission that in 1994 with the coming of the PNA to the Occupied Territories, they had to face the reality of living under occupation, in the way that refugees in the West Bank and Gaza had always understood. Refugee issues had been represented by refugees in the diaspora, close to the leadership. This all changed in 1994.

A result is that there is now more understanding and dialogue between refugees in the West Bank and Gaza and in the diaspora. There is one issue on which all Palestinian refugees agree, whether inside the Occupied Territories or in the diaspora; the peace process has been progressing at their expense.

He also senses that there is a better appreciation of the work that UNRWA does.

Blame for the deteriorating situation for refugees is now more often laid with the PNA or with the donor community.

BADIL Resource Center, Bethlehem

Submitted as written evidence

Recognition, protection and implementation of Palestinian refugee rights: a condition for a durable solution of the Palestinian/Arab-Israeli conflict.

1. Type of organisation: BADIL Resource Center is an independent, non-profit oriented Palestinian NGO which dedicates its professional know-how in information documentation, – production, and – dissemination to the service of the Palestinian refugee community in the homeland (internally displaced) and in exile (1967 occupied Palestine, Middle East), especially in the field of advocacy and lobbying for Palestinian refugee rights. BADIL's office is based in Bethlehem, West Bank.

2. Organisation and mandate: BADIL is owned and supervised by a General Assembly composed of 57 persons (mainly refugees) who are active in Palestinian national institutions and institutions/initiatives in the West Bank refugee camps. BADIL's current Board of eight members was elected in March 2000, by our General Assembly for a period of two years. Members of the General Assembly and the Board are volunteers. BADIL has a small paid staff of eight professionals (research/documentation, computer networking, community networking, legal expert). The staff is assisted in the implementation of BADIL's community/field program in the West Bank by the BADIL Friends Forum, i.e. a voluntary working group of some 40 activists in camp institutions/initiatives who meet regularly in Bethlehem (BADIL office) and Balata Camp (Jaffa Cultural Center). BADIL is mandated to promote Palestinian refugee rights in general (protection and assistance; social, economic, cultural; women's and children's rights), and in the framework of a durable solution in particular (protection, implementation of a durable solution according to international law and UN Resolution 194). Thus, BADIL's work highlights the principles of: refugee choice; voluntariness; right to repatriation, restitution and compensation.

3. In the framework of our mandate, BADIL is active in numerous fields: (a) awareness raising for refugee rights and empowerment among the refugee community; (b) facilitation of community-based lobby efforts and advocacy/lobby activities with international partners; (c) documentation, research and information dissemination; (d) networking with Palestinian refugee rights initiatives (locally and outside of Palestine) and international partners.

4. BADIL's position on the preferred durable solution of the Palestinian refugee problem is determined by the mandate received from the institutional leadership of the refugee community; BADIL promotes a solution based on international law (including international Refugee Law) and UN Resolution 194. BADIL's decision to present the initiative of the Joint Parliamentary Commission of Enquiry to the refugee community and to facilitate its work was determined by the fact that the Commission's terms of reference reflect the legal framework, principles and options promoted by BADIL – as well as the framework which has evolved from recent research and from the debates

among the refugee community, triggered by the neglect of principles of justice and international law in current models for a solution of their problem.

Some 800,000 Palestinians were evicted and displaced from their homes and lands in the period between the November 1947 UN Partition Resolution (181) and the Israeli-Arab armistice agreements in 1948/9 as a result of military action and deliberate ethnic cleansing operations by Zionist forces and the new Israeli state. Both their eviction and Israel's refusal to implement UN Resolution 194 (1949; right of return) are a violation of UN Resolution 181, under which Israel was obliged to protect property, human and civil rights of its Palestinian citizens. Today, they and their descendents number some five million persons (3.7 million of them UNRWA registered refugees), scattered over the 1967 occupied Palestinian territories, Jordan, Lebanon, Syria, as well as other Arab countries and the western diaspora. Some 250,000 of them have remained as internally displaced persons inside the territory of the Israeli state. All of them lack the international protection available for other refugee groups in the world and a durable solution for their problem has not been found.

It is BADIL's position that a durable solution to the problem of Palestinian refugees must be a rights-based solution, and that any solution which does not meet minimum standards of justice (i.e. international refugee rights standards) is doomed to failure, because Palestinian refugees – who comprise some 70% of the Palestinian people, will not accept a solution which gives preference to Israeli (and foreign) strategic and political interests at the expense of their internationally recognised rights.

BADIL is convinced that a durable solution of the refugee issue will be possible only when Israel will accept: (i) responsibility for the creation of the Palestinian refugee problem; (ii) Palestinian refugees' right to a free, fair and educated choice of their preferred option (including the option of return-restitution-compensation); (iii) the Palestinian right to self-determination; and (iv) full restoration of the human and civil rights of Palestinians living inside the territory of the Israeli state.

BADIL's preference for and focus on the option of repatriation restitution of property and compensation is the result of the following factors:

(a) return to and restitution of original property is the preferred option of Palestinian refugees, historically and today (as documented in UNRWA reports of the 1950s, in the political demands of the Palestinian National Movement, in recent opinion polls among refugees, and in the official Palestinian negotiating position);

(b) Israel's (and the international community's) persistent objection to the option of repatriation (while promoting host country absorption and third country resettlement) has been the main reason for the continuation of the Palestinian refugee problem and its transformation into the world's oldest and largest refugee problem. It is BADIL's position that Israel's objection to the principle of refugee choice is guided by an ideology and policies striving for maximum benefit from refugee properties while maintaining a Jewish ethnic majority in the Israeli state – a discriminatory stand which is unacceptable under international law and standards;

(c) Palestinian refugee rights (right of return, restitution and compensation; right to self-determination; economic, social and cultural rights) are both individual and collective rights. The lack of an international protection regime for

their individual rights has led to a situation where these non-negotiable individual rights are being made the subject of the political negotiations between Israel and the PLO, irrespective of the fact that – according to international standards – individual refugee rights and claims are to be respected separately and outside of collective, political agreements.

(d) Israeli and international recognition of the Palestinian refugees' right to opt for repatriation to their homes and lands (in what is now Israel), restitution of properties and compensation is crucial, should future political, social and economic crisis be avoided in the Middle East; a crisis which would result in the destruction of local and international resources already invested in the region.

5. Representativeness of BADIL's opinion: on a formal level, the above opinion is representative of the members of BADIL's General Assembly Board and staff (i.e. some 60 persons). On an informal level, however, BADIL's opinion is part and parcel of the united Palestinian position with regard to a durable solution of the Palestinian refugee question. This is held by refugee grassroots organizations in Mandatory Palestine, Jordan, Lebanon, Syria and elsewhere, Palestinian national institutions, and expressed in the official Palestinian negotiating position – there is not more than one Palestinian opinion about what is the preferred option to the solution of the Palestinian refugee question, the total consensus is return, restitution and compensation.

6. Meaning of the implementation of the right of return in practical terms: Palestinian refugees, historically and today, face the problem that they are pushed into a battle over the principle of their right to choose by the Israeli rejection of this right. A serious and professional debate over implementation of the right of return will not be possible, until the principle of the right to choose is recognized by Israel. As a result, the Palestinian debate over practical modalities of implementation of their right of return is underdeveloped. Moreover, due to the exclusion of the Palestinian refugee case from the international refugee regime available to other refugees, Palestinian refugees are largely unfamiliar with policies and practice of international organisations, e.g. the UNHCR, elsewhere.

BADIL has conducted debates with refugee community activists about how to relate to the fact that practice of their right of return today will mean return to the Israeli state under Israeli sovereignty, an idea which contradicts the old Palestinian program of return in the framework of national liberation of Palestine (including the territory of what is now Israel). The consensus emerging among refugees in the West Bank and Gaza Strip – who are familiar with Israel and the situation of Palestinian citizens of Israel – is that this is an acceptable option. (It is important to emphasise here that while this debate is new in its current political context, refugees have always demanded and tried to implement the option of individual return to Israel.) Thousands of refugees ("infiltrators" in Israeli terminology) have thus been killed while crossing armistice lines/Israeli borders in order to return to their lands (see for example: Benny Morris, *Israel's Border Wars, 1949-1956*).

BADIL has conducted "return visits" (fact finding missions) with refugees to their original homes and lands. In the framework of these visits, refugees inspected their lands and investigated the amount of Jewish settlement on

them. The conclusion reached was that in most rural areas (especially south-east Israel, Naqab/Negev, and the Galilee) refugee return would result in little physical displacement of secondary occupants of refugee property. Provision of alternative housing for secondary occupants, however, is a major issue to be tackled in the coastal area and in the urban centers, e.g. Jerusalem, Haifa, Jaffa. (These findings are supported by recent research; see for example: Dr Salman Abu Sitta, 1998). During these visits, refugees moreover discussed and supported the idea that not all of them would be able to return to agriculture-based villages, but that new, urban-style communities would be required in the framework of repatriation.

Additional practicalities required for refugee repatriation are in a very early phase of study by professionals and not yet discussed among the refugee community, e.g. logistics for refugee choice; matching of various existing property registries (UNCCP, UNRWA, property documents still held by the refugees themselves); matching of educational/professional profile of returning refugees with the Israeli labor market; quality and amount of international rehabilitation efforts required in the framework of repatriation etc.

Ingrid Jaradat Gassner, Director, BADIL, and Salem Abu Hawwash, Head of Board, BADIL.

The Palestinian Initiative for the Promotion of Global Dialogue and Democracy (MIFTAH)

MIFTAH and the Palestinian Refugees, submitted to Joint Parliamentary Middle East Councils.

Background:

MIFTAH is an independent Palestinian civil society institution committed to fostering the principles of democracy and effective dialogue. Founded by Dr. Hanan Ashrawi in March 1999, at the initiation of several like-minded Palestinians, MIFTAH marks the launching of an innovative approach of fostering and enhancing an effective partnership among civil society and the public and private sectors.

Mission Statement:

MIFTAH is dedicated to the integration of several processes within Palestinian society, both within and outside Palestine. These processes are namely Palestinian nation-building and empowerment on the basis of the principles of democracy, human rights, rule of law, and participatory governance; international reconciliation and cooperation; the gathering and dissemination of information; and the active participation in the global dialogue as an equal partner.

A clear and urgent need exists for the effective presentation of Palestinian issues and concerns on the national, regional, and global levels; MIFTAH is significantly taking a leading role in the accomplishment of this mission.

MIFTAH's Objectives:

1. – Reinforcing the Palestinian nation-building process.
2. – Contributing to the empowerment of civil society and cooperation among its institutions.
3. – Providing a Palestinian forum for public discourse and dialogue.
4. – Enhancing the Palestinian decision-making process by providing policy analyses and position papers.
5. – Establishing an integrated system for bringing together the private, public, and civil sectors of Palestinian society for effective governance.
6. – Working with expatriate Palestinian communities and organisations in order to raise awareness on Palestinian issues and activate cooperation.
7. – Networking with international interlocutors of relevance to MIFTAH's mission and objectives.
8. – Increasing awareness and knowledge of the Palestinian reality to the international community.
9. – Conducting sustained dialogue with like-minded Israeli counterparts and institutions.
10. – Laying the foundations for conflict resolution and peace in the region.
11. – Promoting gender issues and awareness within Palestinian society.

MIFTAH's Commitment to Peace in the Middle East:

MIFTAH's official position on the Middle East Peace Process is based on the foundations of International Law, particularly the provisions of UN Resolutions

242, 181, 338, and 194 and the Fourth Geneva Convention. In other words, MIFTAH calls for Israel's withdrawal to the June 1967 boundaries (including the full withdrawal from east Jerusalem), the dismantlement of all Israeli settlements constructed on occupied Palestinian territory, and the unconditional implementation of UN Resolution 194, thus the Palestinian refugees' right of return.

MIFTAH's Commitment to the Rights of the Palestinian Refugees:

As mentioned above, MIFTAH strongly calls for the unconditional implementation of UN Resolution 194. We believe that the suffering inflicted on the Palestinian refugees is a central factor and cause in the Palestinian-Israeli conflict, thus their fate is the key to historical reconciliation. The Palestinian refugees have a legal right to return to their "original homes" in what is now thoroughly considered "Israel," as well as a right to full compensation. Indeed, it is a legal and moral obligation upon the International Community to ensure that these rights be upheld.

17 January 2000

The Norwegian Nobel Committee
Drammensveien 19
N-0255 Oslo, Norway

Dear Nobel Peace Prize Committee Members:

It gives me great pleasure, as an individual and on behalf of MIFTAH, the Palestinian Initiative for Global Dialogue and Democracy, to nominate UNRWA, the United Nations Relief and Works Agency for Palestine Refugees in the Near East, for the Nobel Peace Prize for the Year 2000, in recognition of its 50th anniversary in the rendering of humanitarian services to Palestine refugees and its tireless efforts for peace in the area.

In a region frequently beset by conflict and upheaval, UNRWA has been an important source of stability and hope. The Agency had been one of the first examples of the United Nation's humanitarian outreach activities to relieve the suffering of people whose lives were torn apart by conflict. Fifty years ago the United Nation's General Assembly gave UNRWA a mandate to provide emergency relief and other assistance to three-quarters of a million Palestinian refugees. Today, fifty years later, the UN flag flies over 650 UNRWA schools, 122 UNRWA health centers and dozens of UNRWA community centers and other facilities across the Middle East.

Today, UNRWA's 22,000 staff members, mostly Palestinian refugees themselves supported by some 100 international staff members from more than 20 different countries, continue to render essential services to 3.6 million registered Palestine refugees as they seek firm steps towards peace, reconciliation and a better future.

Throughout the past 50 years UNRWA was regarded by all the parties involved as a key pillar of stability for the entire region, an Agency that was able to maintain the dignity and preserve the cultural identity of the Palestinian people while working simultaneously to create an environment conducive to peaceful coexistence and in the service of human rights.

At present UNRWA's programmes for the young refugees focus on tolerance and conflict resolution supporting the Agency's traditional educational, health, relief and social services programs and enriching the recently introduced programs that aim at poverty eradication schemes, income generation and support for micro-credit enterprises.

The Agency's work throughout the years have aimed at empowering the refugees and have always sought to support their own quest for self-reliance and in assisting them to build a better and peaceful future.

We strongly believe that UNRWA's continued work in the region, and at the time the protagonists are seriously seeking modalities for coexistence and in laying the foundations of a true and lasting peace, is both essential and needed. The question of refugees is one of the most significant issues on the agenda of final status talks. We believe as well that nominating UNRWA for the Noble Peace Prize is a long overdue gesture and that such a nomination would have a tremendously positive impact on the ongoing peace talks and on the lives and aspiration of the Palestinian refugee population itself.

Kindly accept our sincere appreciation for considering this nomination. We stand ready to furnish your Foundation with all the required supporting documents and information upon your request.

Sincerely,
Hanan Ashrawi, Ph.D.
Secretary-General

Evidence Taken in Jordan

Committee for the Defence of the Right of Return, Jordan, 3rd September

PARTICIPANTS:

Ahmad Yusuf Alia — Imwas, Abu Ghosh, Jerusalem

Abd al-Aziz Saqr — Salama, Jaffa

Abd al-Aziz Jabr — Hatta, Gaza

Abd al-Majid Yasin — Hebron

Ahmad Abu Shawar — Zikrin, Hebron

Tal'at Uthman Abu Hashia — Salama, Jaffa

Ahmad Yusuf Alia:

We wholeheartedly welcome you to Jordan. I will start by introducing the Committee for the Defence of the Right of Return. The Secretariat of the committee is represented by the following: Ahmad Yusuf Alia, Secretary-General; Abd al-Aziz Saqr (attorney), General Coordinator for Refugees with UNRWA; Abd al-Aziz Jabr, Liaison Officer, (a former member of the Jordanian parliament, who was rapporteur of the Palestine Committee for two consecutive sessions); Tal'at Abu Hashia, Spokesman; Abd al-Majid Yasin, Postgraduate Studies Officer; Ahmad Abu Shawar, member of the High Committee.

The committee was formed by a decision of 14 opposition parties in Jordan. It is a high committee for coordination between the Jordanian opposition parties. As this committee seeks to represent the refugees in Jordan, it needs the legal and political protection of the opposition parties, because the formation of such a committee is not allowed.

This committee was formed in the early 1990s in the camps and provinces where Palestinians are concentrated, and according to the UNRWA zoning in Jordan.

The committee, with its membership, represents the different political tendencies, prominent notables, representatives from social clubs and different clans, towns, communities and villages, representatives of Palestinian refugees in Jordan and the displaced Palestinians in general; the refugees and the displaced.

The committee is in agreement on certain political perspectives that represent the views of political parties and of Palestinian public figures on the general principles of the Palestinian cause.

I mean that it represents certain political perspectives, i.e. the view of the 14 parties, as well as Palestinian public figures as regards the refugees and Palestinian communities on the Palestinian issue in general, and on refugees in particular. These are the views of the committee and we will give the delegation a paper on our political perspectives and some of our recent activities.

In practice, this committee represents the refugee population in Jordan.

In contrast, the official position of the government is represented through the Department of Palestinian Affairs, camp committees and camp improvement committees.

This was a general introduction to the committee. I will now turn to the committee's activities. The committee has held many seminars for raising awareness on refugee issues and concerns. At these seminars the committee listens to the everyday concerns and problems of the refugees, especially in relation to the problems they face as a result of the reduction in UNRWA's services since the beginning of the peace process. There are periodic meetings attended by Abd al-Aziz Saqr with the Regional Science Department. In addition, the committee upholds the political aspirations of refugees, foremost of which is the right of return.

From our field visits and the activities we undertake with the refugees, we confirm that there is a consensus amongst the refugees in Jordan that there is no compromise on the right of return to their lands and property in Palestine.

The committee also has contacts with brother representatives of the Right of Return Committees in Syria, Lebanon and the rest of the world. It was in this context that we received the letter from the British parliamentary delegation and have considered the questions that have been put to us.

Turning to the question regarding the organisation's foundations and objectives, we will send a letter with the details. Regarding question number four, I will present the Committee's view, and let the members present here make their personal interventions.

The committee's position concerning the Palestinian refugees in Jordan is that we do not accept any solution to the Palestinian issue that excludes the application of Resolution 194 on the right of return to land and property in all of Palestine. Consequently, we regard the right of return as not being subject to referendum or negotiation.

Regarding the question of refugees resident in the host country – yes, the refugees have acquired rights in Jordan and they are Jordanian citizens. This is a fact. But it does not prejudice the right of citizenship, nor does it, in any way, prejudice the right of return for the Palestinians of Jordan.

Thus, in this context, we refuse anything that comes under the name of rehabilitation, resettlement or even compensation as an alternative to the right of return, which is a fundamental principle for the Palestinians of Jordan.

We also refuse the suggestion of resettlement in a third country. We understand this as another displacement imposed on us by the Americans and Israelis.

Once again we affirm that we represent public opinion among the Palestinian refugees in Jordan, through the branches of our committee that exist wherever Palestinians are: in camps, in communities and also amongst those working in UNRWA.

Abd al-Aziz Saqr:

I live in the Wihdat camp, which is one of the bigger camps in Jordan, established in the early 1950s.

I have been chairman of the Improvement Committee of Wihdat camp for 13 years. I am chairman of the Association of People of Salma, which was one of the biggest Palestinians villages in Palestine.

UNRWA organised a meeting of the representatives of refugees in Jordan at Sana'a School in Wadi al-Sair. I had the honour of being elected Secretary-General of the High Commission for Refugees in Jordan.

After this introduction, I would like to make a point to the members of the delegation. If there is a real desire for peace, for removing the causes of conflict in the region, and the dissemination of peace, then this peace should be based on justice. For peace that is based on injustice and oppression does not last and will inevitably be reversed. Peace based on justice means peace that allows the refugees to return to their homes, their means of livelihood and their homeland.

We are not against the Jews as such. We, Muslims, Christians and Jews, lived together in this region for long years in peace and security without conflict, before the Jews embraced the expansionist Zionist political doctrine. We are ready to live together with them again.

The number of Palestinians, both those living inside and those in the diaspora,

and the number of Jews in Palestine would not add up to the number of people living in a small city like Chicago, that is not to mention New York, Tokyo, London or Cairo. So if the Jews really want peace, why can we not live together in peace and love, and leave behind greed and expansion?

The area of Palestine is definitely larger than that of London, Cairo, New York or Tokyo. Moreover, 80% of our lands in Palestine are still uninhabited. The Jews now live on only 29% of the area of the land of Palestine in 1948. So, if they want peace, we also love peace, and hate wars, bloodshed, killing, violence. Why could we not live together in peace in Palestine – live in love, peace and brotherhood? Why will they not abandon their desire for domination, aggression and expansion?

To think of uprooting us from our lands and settling us away from our homeland is unacceptable. We can never accept it. Consequently, any solution that is based on something else will not be just, and hence the conflict will inevitably continue. Violence will inevitably continue. If a so-called peace settlement were imposed by America, it would only last for a short while.

I am 77 years old. I witnessed how we were displaced from our homeland; perhaps some have not witnessed it, were too young. I know how the Jews forced us out of our homeland. They used to attack villages by night and through loudspeakers they told the people living there: "If you do not leave this village in three hours, we will shoot you." And in this way they forced them to flee against their will.

Even after the declaration of the State of Israel, many people from the Palestinian villages near the city of Jaffa assembled in the two towns of Lydda and Ramla. That was after the end of the first armistice in July.

The Israelis surrounded the two towns where all those who had fled from their villages were assembled. They told them: "In twelve hours, if you do not leave we will shoot you." I was among those people. We had to walk for twelve hours in high summer, in July, until we reached the other Arab area.

I can give you another example. In October 1948, after they had defeated the Egyptian army in south Palestine and occupied the town of Bir al-Sab'a, the mayor of that town told me: "We assembled in the city and raised the white flag, and told them we wanted to meet the Jewish military commander." A Palestinian delegation met the Jewish military commander. They told him: "You are states that fought together. Israel, as a state, warred with the Egyptians, and you defeated the Egyptians. We are the people; let us stay on our lands. We are peaceful, and we promise you that we remain peaceful, just let us remain on our land."

His answer was: "The state of Israel wants this land without its people. If you do not leave in twelve hours, we will shoot you."

And they forced them to abandon their homes and leave for Hebron or the Gaza Strip. It is often rumoured that the Palestinians left their homeland after an appeal from the Arab states. I want to explain this matter, especially because Israel repeats this statement. In fact, Israel had carried out the massacre of Deir Yasin on 9th April, and the carnage of Tabariya on 11th April, occupied Haifa and carried out a massacre there on 23rd April, and on 28th April they occupied Jaffa and the Jaffa military area and expelled its residents. On 15th April, some Arab states, the Arab League, to avoid further massacres, said that only the children and women should get out of the areas where there was fighting. Yet, people did not leave their homes – where could they have gone? – until they were displaced by force.

So how can we get rid of the bitterness that we feel while we remain uprooted from our lands and our homes, and have become displaced refugees living in camps in different Arab countries? How can there be a peace that is acceptable to us, our

children and future generations, if our rights continue to be usurped? We uphold the right of return and cannot accept any rights other than this. Nothing else can entice us. We will not accept anything other than the right of return.

This is not sentimental talk. This is what the refugees, wherever they are, uphold and have declared time and time again.

Hence I reiterate, if there is a desire for the dissemination of peace, love, harmony and brotherhood, Israel has only to accept the return of the Palestinian people. And we will then live together with them in brotherhood. The land of Palestine is spacious enough for them and us, and we welcome them and whoever wants to come from other places.

Thank you.

Abd al-Aziz Jabr:

I used to be a teacher. I have been a Member of Parliament for two sessions. I represent a constituency in Amman, the capital, in which around 12,000 Palestinian refugee families live in camps – al-Hussein and al-Mahatta.

I was 15 when I was driven out. I was aware of this, as I was in Grade Seven in primary school.

I saw the British High Commissioner after the Second World War when he visited my school in Falluja. His name was Alan Callaghan. We truly welcome the British parliamentary delegation. And we welcome the generosity of this delegation for wanting to offer an apology on behalf of Britain.

We consider that it was Britain that ousted us from our lands, because the Balfour Declaration of 1917 promised the Jews a state on the land of Palestine. It was a promise of something made by someone who did not own it to someone who did not deserve it. For the Palestinian people were there on the land of Palestine. It was not a land without a people.

I saw what the British army did. Whenever the Jews were in trouble, the army tried to rescue them. But when the Hagana and the Stern Gang assaulted the Palestinian villages, no one came to rescue us.

The first British Consul for Palestine was Herbert Samuel. He was a Jew. He allowed the Jews to immigrate to Palestine. He made the lives of the Palestinians very difficult by increasing taxes and depreciating the value of their goods, to the extent that no one could live without selling his land. And the Jews were buying the lands from hungry people whose lives were made difficult by the British government.

My village is called Hatta, one of the villages of Gaza. There were 1,000 people in my village. The British government gave us ten old rifles to defend ourselves, while it was arming the Jewish militias with the latest weapons.

We thank the British delegation for what they have come here for. In fact, they feel conscience-stricken, as Britain has a responsibility for what happened. When I get up to pray in the dark I invoke God against a Britain that drove us out of our homes and caused our crisis. Our predicament as refugees is political. It was caused by Britain – it brought the Jews in.

We, the Palestinian people are an oppressed people. A people unjustly driven out of our homes.

Mr Saqr mentioned massacres. I found myself in the middle of one. It was Ramadan and we were getting up to have a late dinner. The Hagana attacked my village, Hatta, while I was there. They entered it and the people started fleeing. They found ten people having a late dinner in preparation for the fast. They butchered them all.

I am ready to give the names of these people. They were old religious men, over 60 years old. All of them were killed. And I was a witness to this massacre.

I want to comment on some of the points in the memorandum. In fact, the memorandum, on page two, linked the oppression of Jews in Europe with conflict over land in Palestine. What relation is there between such oppression in Europe and conflict over land in Palestine? This is not true! It was not a conflict over land. The land is ours.

I would like to present to you these land deeds. This one is my father's. Who should we ask for it now? We should ask the British government that gave it to us. We now demand that the British government honour the certificates that it gave us.

Where did our land go? The Jews in my village demolished two mosques, and all the houses on the land were all demolished.

So I am saying that this land is not contested. It is our land. Britain gave it to the Jews and brought them here in order to turn the lands of Palestine over to them.

So all of this is plunder and pillage and a flagrant onslaught on a peaceful people living on its lands and country. These promises were given by a state that was supposed to be preparing the Palestinian people for self-rule; it was a breach of trust on the part of the British government.

Regarding Resolution 194, my comrades here have emphasised it, and we thank them for remembering it now. Resolution 194 was issued in December 1948. Is it enough to say to the Palestinian people that Resolution 194 exists? Are they supposed to take the resolution home, frame it and hang it up on the wall?

Why do United Nations resolutions only get applied to Iraq, while Israel is pampered? Where is the conscience of the international community?

Finally, as a former Member of Parliament representing the First Constituency in the capital, Amman, I represented not less than 12,000 refugee families in the camps of al-Husseini, al-Mahatta, Nuzha and Marka. In fact, there is no alternative to the return of our homeland, property, estates and mosques that are inhabited by foreigners from all over the world.

We do not accept compensation as an alternative to the right of return. Day and night, we dream of going home. Rehabilitation and compensation come after the return, for what we have suffered and what we have lost, for the lost dividends from our land over the last 50 years. This is what we want. Thank you.

Tal'at Uthman Abu Hashia:

If I were in paradise, my soul would hanker for my homeland. I teach Physics. I am the Committee's spokesman.

I'll be brief. I would like to explain some of the points mentioned by my comrades, and emphasise the points mentioned in the memorandum and the questionnaire and explain our position on them.

First, regarding Resolution 194. Despite considering it to be the bare minimum, we accept it now. And we insist on our right to return to our lands and property. Of course we categorically reject compensation instead of land. We accept compensation for the suffering endured by our people for 52 years, whether material or psychological suffering, or that caused by the war crimes perpetrated by the Zionists against us.

Such compensation should be associated with return, of course. That is why we call for a return with compensation for injury.

Regarding the suggestion included in Paragraph 2, about compensation being an alternative to the right of return, this is categorically unacceptable to us.

Likewise, displacement or resettlement in a third country is categorically unacceptable.

We affirm our right to self-determination on the land.

And we will work, by all means available, to reclaim our rights in full.

Ahmad Abu Shawar:

I was displaced in 1948. I will mention only my capacity as a representative of my camp, Prince Hassan camp in Jabal al-Nasr. I was the chairman of the camp's club, and I have spoken with people from Britain twice – once in June 1968 and again at the Conference for the Support of the Refugees and the Displaced held by the British Labour Party under the auspices of a committee chaired by Margaret McKay.

We spoke then while our wounds were still bleeding from the Zionist aggression of 1967.

I spoke then to Mrs McKay, in London of course, and told her that they, us and the whole of humanity had stood against the Nazis and the Holocaust against the Jews in the Second World War. I asked her why they ignored the Palestinian Catastrophe caused by the Jews with the assistance of the British government. I say this to appeal to the civilised humanitarian conscience of the British people who stood against the Nazis.

In short, I appeal to your conscience, to your humanity, to stand by our people who suffered severely from the barbaric Zionist slaughter which drove them from their homeland.

We know that you hate war, and we also hate war. But we considered your war against the Nazis, the Second World War, a just war. So you too have to recognise the struggle of the Palestinian people to reclaim their homeland and consider it a just struggle, not dismiss it as terrorism.

Our people also suffered the disasters of displacement and emigration. Parents were separated from their children. Yet our people are still determined, still holding on to their right to return to their homes and property. They have struggled towards this and they will not drop the struggle until the sacred objective is achieved. Not out of a desire for war, but a desire for normal, human life in their homes, just as you fought against Nazism in the Second World War.

Regarding the issue of alternatives, our people hold on to their right to return and refuse to exchange it for resettlement, rehabilitation, compensation or displacement.

But inasmuch as our people insist on return, they insist on the British and American governments taking responsibility for this tragedy. And therefore we demand compensation in addition to return. Return first of all and, in addition, compensation for the injuries, displacement, bitterness suffered by our people, in addition to the fact that their lands and property have been exploited by other people. Return comes first. Thank you.

Abd al-Majid Yasin:

I am a member of the High Committee for the Palestinian Refugees' Right of Return in Jordan, and member of the Political Bureau of the Jordanian Democratic Popular Unity Party.

I will try to be brief and direct. I share the view that my colleagues have expressed, that the Zionist entity, along with British and American policy, has the primary responsibility for the tragedy that has afflicted our people, their displacement from their homeland.

I will not tackle the historical aspect because you have already covered it. I will

focus on one point before giving answers. If all the negotiations that have taken, or are taking, or will take, place ignore the issue of the refugees, which is at the core of the conflict with the Zionist entity, and considered as important as the issue of Jerusalem, as an axiomatic issue in the conflict, then I assure you that the only option for the Palestinian refugees in the diaspora is to return, reclaim their rights and compensation for whatever could not be reclaimed.

Abd al-Aziz Saqr:

I have found some mistakes in the document. Typing errors, perhaps? On page two it says that after the end of the Second World War the population of Palestine was 700,000, of whom 56,000 were Jews. This was the case at the end of the First not the Second World War.

The second mistake, if you will allow me, is in the same paragraph. I think it too is a typing mistake. Perhaps it should be corrected to read "the dispute on the land in Palestine", rather than the dispute on Palestinian Land. Because, there were no disputes on the land in Palestine. The land belongs to its owner.

The last mistake is that there were no refugees at all – it says that there were 350,000 Palestinians refugees – before the 1948 war. The refugees fled as a result of the war, and not before. I would like these mistakes to be corrected. If you want this report to be considered as a reference, we need to be sure it does not contain mistakes.

A Palestinian (unidentified):

Are they talking about the Jaffa massacre? The Jaffa massacre occurred on 23rd April, 1948. I remember when it occurred to the hour.

Another Palestinian (unidentified):

They mean before the war, before 15th May.

A third Palestinian (unidentified):

They mean before the declaration of Israel. They mean before the '48 war. They [the British delegation] have written: "The first wave of refugees started in the months before the 1948 Arab-Israeli war."

Abd al-Aziz Saqr:

No, comrade, I disagree. Not a single refugee left Palestine before the war. The refugees left because of the war and the occupation of Jaffa on 21-23rd April. They are saying that the refugees fled because of the massacres and so on.

Tal'at Uthman Abu Hashia:

I am the spokesman of the Committee for the Defence of the Right of Return. Until the Palestinian people and Palestinian refugees obtain all of their rights, there will be issues affecting Palestinians' daily life. And you will see that as you visit the refugee camps in Jordan, West Bank, Gaza or wherever there are Palestinian refugees.

They live in very difficult circumstances. Because of that, we want UNRWA to continue to provide services to the refugees. And to increase these services, relative to the increase of population every year. We urge the donor countries, particularly America and Britain – who caused the tragedy of the refugees – to increase their donations, to help the refugees live with dignity.

We also ask the international community to protect the Palestinian refugees until

they obtain all of their rights.

Within the current political climate, UNRWA is facing a lot of artificial financial difficulties. I think that these difficulties are a result of pressure from America, Britain and some other countries that follow them to force the Palestinian refugees to accept an unfair solution to their cause.

We also demand that the UNRWA budget be funded by the UN and stop being dependent on donations, pledges and grants from donor countries.

Ahmad Yusuf Alia:

All the members of this committee agree with the first option of Question 4. And we insist that nothing will be acceptable other than the right of return. After return the Palestinians are entitled to five types of compensation. Financial compensation for damage to individuals, including theft, destruction and exploitation of property and land for more than 52 years. UN Resolution 52/644 issued on 5th November, 1998 refers to the right of refugees to reclaim their property since 1948.

The second type of compensation is for damage to public resources, including roads, ports, airports, mines, water resources, minerals, fish stocks, coastline and forests, all of which have been destroyed.

The third category is psychological injuries, which include the psychological suffering, displacement, separation of families, torture, ill-treatment, imprisonment and slave labour.

Other public damage includes loss of identity: the Palestinian identity documents, public records, the expulsions and massacres.

The fifth category is war crimes, crimes against humanity and even against peace, which is not included in Resolution 194 because it is subject to other laws, such as the Rome charter of 1998. Accordingly, the international crimes war court was established. And now they try war criminals from Serbia.

My village, Imwas-Latrun, was occupied in 1948 and most of its people were killed or expelled. It is situated 20km west of Jerusalem. In 1967, I was a student at a teacher training college and watched the war from a hilltop in my village. After the withdrawal of the Jordanian army during the night, the Israelis entered the village and started to destroy it. At the same time they destroyed three other villages; Amromas, Syian and Beed Noba. They erased the village and planted trees there and called it Canada Park. The village was on a very beautiful site. I wanted to add this testimony.

Ernie Ross MP:

I have two questions. The first is do the committee think that the decision to exercise the right of return is a decision given to each Palestinian individual or is it a decision which will be taken collectively by a Palestinian community?

Ahmad Yusuf Alia:

We believe return is a collective issue. It is not an individual issue, but rather it is a political issue. We consider it a primary political issue.

Neil Gerrard MP:

What about individual Palestinians who may wish to retain the right of return but not act on it?

Ahmad Yusuf Alia:

We want the right of return to be available for all Palestinian refugees, and if 0.001% of Palestinians refuse to return it does not mean anything.

The right of return for Palestinians is a natural right and was granted by international law. How can an aggressor state like Israel introduce a law to allow Jews from all over the world to return while we are prevented from having have the same right.

Nick St. Aubyn MP:

We are not disputing Resolution 194, we are just asking how Resolution 194 will be implemented.

The other question is that some other group of Palestinians said that they were prepared to go back to where their homes were although that could be under the Israeli state. What are your views on that issue?

Ahmad Yusuf Alia:

We are prepared to go back. The most important point is we have to establish the right of return for all Palestinians in the diaspora first.

Tal'at Uthman Abu Hashia:

All the suggested solutions up to now in respect of the Arab-Israeli conflict are temporary solutions. The right of return is an inalienable right. But any solution for Palestinians and Israelis will not be final unless it is based on Palestinians obtaining the rights that they had under a democratic Palestine before the Mandate.

Thank you.

Baqaa Refugee Camp, Jordan, 4th September

PARTICIPANTS:

Abd al-Karim Abu al-Haija — Haifa
Adel Hamdan Sarafand al-Amar, Ramla
Nabil Rabi' — Lifta, Jerusalem
Hasan Abu Diba
Ahmad Abu Ja'far Dawaymeh — Dawaymeh, Hebron
Hatem Salama — Mughallaf
Muhammad Nusayrat — Nusayrat, Jericho
Muhammad Aqel
Jadallah Subuh — Summayl, Hebron
Ali Abd al-Rahman al-Azza — Bayt Jibrin, Hebron
Mahmud Kharabsheh MP — Salt
Abd al-Majid al-Aqtash MP — Dawaymeh, Hebron
Mahmud al-Amir — Sumil al-Khalil, Hebron

Abd al-Karim Abu al-Haija:

Ladies and Gentlemen, members of the British parliamentary delegation, respected guests, welcome to the Services Committee of the Baqaa camp. It is my honour to welcome you on behalf of the members of the Services Committee, the people of the camp and myself. Our committee is one of the biggest voluntary, non-governmental organisations in Jordan, dealing with the most concentrated population of refugees in the Middle East. The main aim of our committee is to ease the suffering of the refugees. Their case has been one of the main concerns of the king, the queen, NGOs, consecutive Jordanian governments and the Department of Palestinian Affairs established by the government to look after refugees in the camps.

The Directorate provides services and programmes to improve living conditions in all 13 camps in Jordan. The committee also provides, on behalf of the government, financial support for the projects of the development committee.

Moreover, the committee has spent 5 million dinars over the last 15 years on general services and infrastructure, donations to schools and university students, and to humanitarian and social NGOs in the camps. In the light of His Majesty's concern about our social, environmental and educational circumstances, the government has implemented, on His Majesty's instructions, a social programme for youth in all the camps. In Baqaa Camp, a special programme that included infrastructure projects was implemented at the cost of 5.5 million dinars. The king has also allotted 200 university places for students in the camps, in addition to the places they have already taken through open competition as Jordanian citizens.

With respect to refugees and displaced people, here in the camp we uphold international resolutions, namely Resolutions 242, 338, 237, 194 — all resolutions related to refugees, in particular General Assembly Resolution 194 of 1948, the principle of land for peace, and the right of return for Palestinian refugees. There is public consensus that it must be assured that all refugees return to the villages and towns from which they were expelled from 1948 onwards.

The day when the right of return is established will be one of the most unforgettable days in UN history, as justice and fairness will have prevailed, and it will represent a triumph of international legitimacy and its resolutions.

Ladies and Gentlemen, members of the British parliamentary delegation, I am grateful for your generous visit and we look forward to seeing more efforts in support of Jordan's noble stance towards refugees, to alleviate the burden on Jordan and other host countries.

Thank you for listening and welcome.

Adel Hamdan:

We would like to welcome the director of the Department of Palestinian Affairs, a man who deals with refugees as if they were his own family. I have a brief contribution that I would like to address to the British delegation. For us, this is a time of bewilderment. The strange thing is that the Israelis have turned the truth upside down. More striking is that there are some people who are ready to believe them. How can anybody think that the Jews, who left Arab countries and were transferred to Israel according to pre-arranged agreements and on comfortable planes, are the victims, as opposed to those whose houses were destroyed. Some of them managed to flee, the rest remained under the debris of their houses. I wonder what Israel's supporters think about this question; do these people, the Palestinians, have the right to return to their homeland?

The question that I want to ask them is, as a committee of inquiry, whether they support the right of return or not? The second question is, is it possible to ask someone who does not have any choice about the main three issues regarding resettlement, compensation and the right of return?

Mahmud Kharabsheh:

We met in the morning, I invited you to visit this camp, and here we are. I would like to welcome all of you. I would like to speak as an MP, independent of official opinion. I would like to speak in the voice of the people.

In my speech I will repeat some of what I have discussed with you during the parliamentary session this morning. You know that the issue of refugees is part of the entire Palestinian struggle. Britain was the starting point of the Palestinians' plight, as Lord Balfour, the British Foreign Minister at the time, promised Palestine to the Jews as their homeland. We felt that the British Foreign Minister gave land that he did not own to people who did not deserve it because this land was inhabited by Palestinians. Therefore, he gave the Jews an inhabited land, which meant expulsion and displacement of the people from their land and their replacement with other people. We also talked about UN Resolution 181, which divided Palestine and allowed the establishment of two states: one for Palestine and the other for the Jews.

The international community based its acceptance of the Zionist entity on the grounds of Israeli recognition of Resolution 194. Here I would like to emphasize that Resolution 194 meant the right of return and compensation, not either/or. It means return to the land and compensation for the governments and the individuals. In fact, what I want to say is that the right of return is a sacred and inalienable right and nobody can waive it, under any circumstances. I want to ask the commission: what does the fact that Resolution 194 has not yet been implemented mean, despite it having been issued 52 years ago? In the meantime, the UN, led by the UK and the US, rushed to implement the UN resolution in respect of the liberation of Kuwait in 48 hours. As professionals, responsible for implementing the laws of justice and equality, who believe in international and humanitarian law, how can you allow that to happen? The main principles of international and humanitarian law, as approved by the international community, are based on justice and equality for all people.

We hope that this commission will reflect accurately and convey the real feeling of the people in the refugee camps. We have in Jordan 13 camps and this camp is the biggest one. All refugees here insist on their right to return to their lands and to be compensated for the losses of property and psychological suffering inflicted by Israel

with the support of the international community (the West).

We hope that Britain will reconsider its policies and take responsibility for the occupation of Palestine and displacement of the Palestinians and for handing it over to the Jews.

We also hope that the international community will adopt a universal standard in all areas instead of double or multiple standards. As a result of the lack of credibility, injustice and discrimination in this area, the Arabs are full of bitterness and disappointment.

Once again welcome, and I will give other brothers the chance to address their points of view. Finally, I confirm that the right of return is a sacred and inalienable right regardless of the concessions by our governments.

A Palestinian (unidentified):

With regard to international credibility, we consider international law as our point of reference. We want to prove that the law is fair and to stop breaches of the law with respect to our problem. We need more active involvement from the world, particularly from the UK, as it was aware of all the issues before the occupation.

Another Palestinian (unidentified):

We want more testimonies from the elders who were expelled in 1948, and we would like to hear about their suffering rather than listening to political views.

Abd al-Majid al-Aqtash MP:

I am an MP for the capital, Amman, where there are four camps smaller in size to this one. The main principle in our testimonies is the right of return. With respect to compensation, this does not mean the price of Palestinian land, but rather means compensation for the use of the land by Israelis for over half a century. This right is enshrined in Resolution 194. We want this commission to convey this message that we are not the aggressors and we do not want to massacre the Israelis. It was the Jews who started it all: on the bases of the British promise and support of the Western world they came from all over the world to take over our houses and scatter us all over the world. God will forgive you if you convey this message and return to the truth, allow us to go back to our country and expose the injustice that has been inflicted on these people.

Another point, Jerusalem is not for negotiation, it is ours. Jerusalem for Palestine is as the heart is for the body. There is no Palestine without Jerusalem.

Finally, as Jordanians we are worried and concerned about the resettlement of Palestinian refugees in Jordan.

As Palestinian refugees we are more worried that the compensation will be a price for the Palestinian land, which we would absolutely refuse. We are waiting to return, God willing. I want to give others a chance.

Ali Abd al-Rahman al-Azza:

Actually, I do not want to speak as others have done.

My name is Ali. I am from the village of Bayt Jibrin, 24km from Hebron, on the road to Gaza.

On 4th October 1948 Israeli aircraft began to attack the village. All the population, about 5,000 people, fled, except my parents and their seven children, who refused to leave. Two days after the occupation of the village by the Jews, they discovered us, and in the morning a group of six Jews, led by a woman, invaded the

house. We were scared to death when one of them started shooting around the house.

My father, who was 60 years old, told them in Arabic, "Please do not frighten the children." They left us for four days then came back and repeated the shooting inside the house. They said, why did you not leave the village. We said, this is our country and our town and our house, where are we to go?

We stayed there for 45 days. Then they came back with a bigger group of 15 soldiers, and started to shoot between my siblings' legs, and forced us out of the house. They said, you have got one night, either to leave and go to Prince Abdullah, or we will kill all of you. Terrified for her children, my mother said to my father, "We will leave". We had a donkey and a horse; they took them from us. In the evening, we walked out of the village, my dad carrying some of the kids and my mother carrying the rest. After we left the village, while we were sitting down for a rest, we saw a wild animal hovering around us to attack one of the children. Then we walked for a day and a night until we arrived in Hebron, without food or water.

We did not know where we to go and live. We stayed in the open for a week until someone came and took us into his house.

I want to say that we do not want to throw Israel into the sea, nor do we want to slaughter them or their children. We just want to say that Britain was the greatest power at that time, so it is not like Denmark or Norway or Germany; it knows the roots of the Palestinian problem. We say to them "You drew up Resolutions 242, 194, 338." Within the Security Council Britain drafts all international resolutions. Even America consults Britain, so we urge our MP colleagues to help us to have the right of return, as it is enshrined in Resolution 194. Neither my brothers, children, nor I have done anything wrong to be prevented from returning to our home. We now live in tents and temporary shelters. We thank the Jordanian government for its hospitality.

Thank you.

Jadallah Subuh:

I left my country when I was 12 years old. Unfortunately, Palestine was under the British Mandate. Instead of telling you my testimony, I would rather hear the testimonies of the British people and British government. During the Mandate, Jews constituted only 5% of the population, and they lived with us without any problems at all. We never once tried to harm them or push them out of their homes or their lands. We were taken by surprise when the Jews started to create problems. The British used to execute any Palestinian for possessing a single bullet, so we did not have weapons. Jews also did not have tanks or aircraft. Thus, the tanks and aircraft that were attacking us were British.

One day, the entire village was in the field for harvesting, when we discovered that they had attacked the village using British tanks. We could not go back to the village, so we left everything and went to Jordan, where we were treated very well, and we have remained there. What I want to say is that Britain knows Palestinians better than anybody else and are closer to Palestinians than to Jews. My village's name is Sumil al-Khalil. That is what happened to my village and other villages. We want return and compensation. In respect of Jerusalem, it is an Arab, Muslim and Christian city, and it is for us like the heart is for the human body. Thank you.

Muhammad Aqel:

I am the chair of the Baqaa Club. It is the biggest club in Jordan, with an estimated membership of 1,000 young people. The majority of the youth in the club were born

after 1967, and all of them are hoping that the British people will recognise the Palestinian Catastrophe.

The youth in Palestine's clubs and in Palestinian refugee camps in Jordan are not interested in the politicians' games. They look at the agreements that have been concluded between Arabs and Israelis as a silly American film. This is because these agreements have discussed just what the Israelis want and were dominated by the Israelis and Western tyranny. These agreements never addressed Palestine's basic rights. This camp is in itself testimony to the crimes of the Israelis and the West against the Palestinian people. Although you will listen to a lot of Arab politicians expressing their support for the peace agreements, there is a large number of Palestinians who disagree with these agreements and consider them a criminal act against the Palestinian people. They consider that the only justice acceptable is the dissolution of Israel and the right of return for Palestinians and Arabs to their lands and homes. Thank you.

Muhammad Nusayrat:

I am the chair of Baqaa Cultural Club. I am talking about the future, between Israel and us. Yes, there are a lot of black pages in the history book of Jews and Arabs, but we have to get over that and begin to build a new history. When we see the British people we feel optimistic because they know the Palestinians very well. As a great power, they have a bigger responsibility than any other country in the world. They have to support the Palestinians' right to establish an independent Palestinian state with its capital as Jerusalem.

You will not find a single Palestinian who will agree to give up the right of return and compensation, unless he is a traitor. We believe in a comprehensive and just solution which will enable the Palestinian people to regain their stolen rights, so we can contribute to human civilisation as we used to do. I disagree with my colleagues that old Palestinians love and remember Palestine the most. The truth is that the new generation of Palestinians are not weaker but rather stronger than the older generation in their love and desire for Palestine.

The chair of the commission has said that he wants to put pressure on the Palestinian negotiators. But we wish to pressure the Israeli negotiators instead, because the Israeli negotiators have been the stubborn side.

If you are seeking the truth, we all know that the West exported its Jews to our land, to disturb our peace. For I would like to say that there has been enough war, and bloodshed. We are the victims, and victims always accept compromise solutions. We urge the international community to uphold the Palestinians' rights and to achieve our legitimate rights in the declaration of our state of Palestine. Once again we welcome our British friends. We also ask them to support Jordan, which has borne the burdens of the Palestinian cause more than any country. Finally, Palestinians are holding the olive branch, so do not force them to resort to violence. Thank you.

Hatem Salama:

I wonder how the Conservative and Labour Parties manage to come together to talk about the Palestinian cause. If both parties agree about helping us, then I suggest that they can form a new party to help those who need help. With both of them there are two sides to every coin. I do not think that this commission has got a lot of influence with Parliament and the government to make them introduce any resolution. Moreover, they are opposing parties and competing against each other for power. Now they are coming to investigate the Palestinian people's opinions. These opinions

are: Jerusalem and Palestine from the river to the sea. Nothing more but the right of return to each Palestinian, including the child who has just been born, to their lands; after that we can talk about compensation. But before compensation, the return of Palestinian land and the return of all refugees must come first. Another point is that the Palestinian people have never been terrorists, but rather defenders of their land, their rights, their honour, their existence.

I think it is difficult to say that the British parliament can take any decision in respect of Palestine. If so, why could they not decide anything about Iraq. We believe that the Palestinian cause is an Arab cause, deeply rooted in the Arab world.

Ahmad Abu Jafar Dawaymeh:

You know that Israel claims it accepted Resolutions 194 and 242, but we recognise that after ten years of very difficult negotiations nothing has happened so far, in particular with the main issues, such as Jerusalem, which is the most important issue in the peace process. That is because of Israel's denial of our rights and its aggression towards the Palestinian people and the Arab nation. So we hope that our parliamentary brothers will lobby for us not just in the British parliament, but in the European Parliament as well. Without maintaining the pressure on the Israeli government peace cannot be achieved. We also emphasise our legitimate and inalienable right of return and compensation for all Palestinians in the diaspora. As Palestinian refugees in Jordan we have the right of citizenship and the right of return and compensation at the same time, but Palestinian refugees in other countries are left without any nationality. Finally, I emphasise the right of return and compensation for the Palestinian people. Thank you.

Nabil Rabi':

I am the chair of Friends of Jerusalem, from Lifta in Jerusalem. Lifta was occupied in 1948. I would first like to thank the commission for its hard work in coming over here and reaching us. Our organisation was established in 1969. We do our work all over the kingdom, including the camps.

Lifta, our village, is now called al-Romania. Unfortunately, the Knesset was built in Lifta on our ancestors' land. I visited Lifta after the 1967 war and saw the old Arab buildings still there. This is clear proof that Jerusalem is an Arab city.

If they conducted an opinion poll not just in Jordan but all over the Arab and Muslim world, people would never give up Jerusalem.

Once again thank you for coming to us.

Saad al-Ma'rukh:

I am 35 years old. I have rented a hotel for four years. Originally, I am from Ramallah. I left it when I was two years old.

I can say that I am representing young people in the camp. There are lots of people like me, who left Palestine at an early age and are now living the tragedy of exile and looking forward to returning to our homeland. All of us have special feelings about the places where we were born because they mean a lot to us, as much as your homeland means to you. I am sure that all of you sometimes miss the village or the town where you were born. Those feelings should make you aware of the plight of other oppressed people, especially those living in exile outside their homeland. You are now talking to an Arab person who has twice been made aware of the arrogance of the British – the first time was Palestine, the second, Iraq. I am sure you have studied enough about the Palestinian cause, so I ask you to go back to Britain and do your

best to help us.

Hasan Abu Diba:

I want to ask one question. I know you know the answer. Is this peace, peace for kings or presidents or nations? Would any of you accept that his home should be taken away for 50 years? Thank you.

Dr As'ad Abdul Rahman:

I am Doctor As'ad Abd al-Rahman, member of the Executive Committee of the PLO, and until very recently in charge of the refugee department in the PLO.

To begin with, the position of the Palestinian people as well as the Arab governments was not in favour of Resolution 194, because 194 does not give the same level of protection of the political rights of Palestinian refugees as, for example, international law or the international Declaration of Human Rights. But we finally accepted 194 -which has been accepted by the international community and reiterated more than 110 times in the last 50 years – simply because we wanted to make our own compromise and to bring our policy in line with the international community's decision to adopt 194.

As you state, we all know that top international experts say that the right of return is a basic right, an absolute right. It is an individual right and in that sense, it is a sacred right. Consequently, no leader, no institution like the PLO (though it is the sole and legitimate representative of the Palestinian people) is entitled to forfeit the right of return. It is only the refugees themselves – because it is an individual right – who can concede to any formula. That is why they were given the choice, basically, to return. And unless the Palestinian refugees decide not to return, we cannot prevent them by force. It's part of self-determination, individual free choice about a basic right; like the right to live and not to be killed, for example.

Now the PLO, its legislative body, whether it's the Palestine National Council or the Palestine Central Council as well as all its executive bodies like the Executive Committee, have adopted 194. Up to now, this has been the position taken in all negotiations at all places, though the other side has either taken our position very lightly, to the point of turning a deaf ear to it, or they are not even willing to have a serious discussion about it. Because we wanted to show the PLO's flexibility and readiness to deal with the most sensitive issues in a pragmatic manner, we tried to put our feet in the shoes of the Israelis to see the issue from their angle. The Israelis keep coming with two major responses to our and the international community's call for the implementation of Resolution 194. Number one is that this implementation would mean the destruction of Israel and the changing of the Jewish character of Israel. We have explained in public forums with Israeli audiences, sometimes with international audiences as well, (and the last was at UNESCO with President Arafat attending, when I expressed the official PLO policy in this regard,) that we have our brain-storming think-tanks with our own experts – Palestinian Arab and international experts – who are willing to argue in a scientific way, that the implementation of 194 does not necessarily mean the destruction of Israel. It does not necessarily change its character, though we have something to say about the Jewish character of the state itself. We expressed, from our own research, our belief that the right of return not only does not necessarily mean the destruction of Israel; it could be an additional factor in helping the Israeli economy to flourish if implemented. That is why we call upon our Israeli cousins to abide by international legitimacy and recognise 194, and then we will be more than willing to sit with them to discuss the modalities, the mechanisms and the timetables, that would guarantee – and this is our starting point – no threat to the State of Israel.

We are here to make peace, and in wanting to implement 194 we do not want to destroy Israel, or throw the Israelis into the sea, as the eternal claim has been – their

own claim that is part of their propaganda. We have made that offer. This is the only way to negotiate any basic issue. To turn a deaf ear is no solution; to try to ignore the basic issue in the conflict – namely the refugee issue – would be like dealing a fatal blow to the peace process. We think, that for those who would like to make peace, they should in good faith sit together and discuss these issues scientifically and not say “We don’t want to listen to that, we don’t want to deal with that, we don’t want to talk about that”. The moment you start saying “this is a red line”, or “our answer to that is a big NO, this is not negotiable”, the whole negotiating process is destroyed.

The basic idea of any negotiation is to have a dialogue, to have a reasoned and scientific dialogue. We are willing for such a dialogue. Provided that they recognise 194. We are ready to commit ourselves, ahead of time, with all the guarantees necessary to guarantee that implementation of 194 would not mean the destruction of Israel. We will guarantee them that. We know from our research that there are ways and means of implementing 194 and even of helping the Israeli economy rather than demolishing the State of Israel.

The second argument that they resort to concentrates on a false symmetry they make between the plight of the Palestinian refugees – the Nakba – and the migration of the Jews from Arab countries to Israel. I was told yesterday by someone that he had a long dialogue with Dr. Robert Stein, whereby he explained to him the details of how and why the Jews of the Arab world migrated to Israel. At his initiative, we held a scientific seminar, an international one in 1976, in which we came up with original ideas at that time. We called upon Arab states to give the right of return to any Jew who lives in Israel, if he wants to go back to Morocco or if he wants to go back to Yemen, etc. What we are asking for is right of return. We were forced to leave, so we call for our right of return, in accordance with international legitimacy and 194 etc. Now, if any Israeli Jew of Arab origin, thinks that he was forced to leave, we guarantee him the right of return to wherever he came from. If his property was confiscated, we guarantee that the Arab states – according to their own declaration after our workshop in 1976 – will reaccommodate him.

In addition to that, we told the Israelis, this is a bilateral negotiation. You are talking now to the Palestinian entity. If you have complaints with the Iraqis, the Moroccans, the Egyptians, you can always deal with that as a bilateral issue. And I’m sure that the Moroccans, the Iraqis, the Yemenis have got their documents, their answers, because we have the documents and answers. There is no reason at all to mix these issues. We are talking about the Palestinian refugees, not the Kosovo refugees. There are other forums for the Kosovo refugees. There are Moroccan refugees. The same with Egypt. They have a peace treaty with Egypt etc. etc. And even for those countries who have no peace treaty with Israel now, we could even mediate between the two and discuss these issues or an independent international body could be set up to do this.

I am sorry to say that the Israeli position up till this very moment, including Camp David, has been to refuse to enter into any serious discussion about the refugee issue. Now, their plan is very obvious. It seems they are trying to make deals in many ways; sometimes semi-direct or very indirect ways, making hints or offers to try to convince the Palestinian leadership: “Let’s have a trade-off here, whereby you forget totally about the refugee issue, the right of return particularly... We will talk about compensation, but we will have a trade-off whereby if you forget about that, we will be ‘generous’ with you, we’ll be more ‘flexible’, we will make ‘concessions’ to give you back additional land of the land that was occupied in 1967. And we’ll give you additional sovereignty.” They are paying us from our own pockets; they’re not taking anything

out of their own pockets. They are using our credit card to pay us.

And still they refuse to acknowledge the issue. They have been going around for so many years asking the world to make an apology to them about wrong-doings. And when it comes to the Palestinian refugees, they don't want to make any apology. They are willing now, to express general sorrow about the suffering of the Palestinian refugees, but they're not willing to acknowledge any responsibility in that regard. They say "You ran away; Arab leaders told you to run away." And now we have – thank God – finally, at least seven to nine new Israeli historians who are very well established scholars, well reputed, honest, courageous people, who have told the true story. And the story is being told from Zionist and Israeli documents. They didn't even resort to Western documents, or Palestinian Arab documents. And they have told the story; how Israel and their political leadership at the time was 100% – or at least 99% – responsible for the plight of the Palestinian refugees. So they don't want to acknowledge any moral, political responsibility, because that would mean automatically that they should acknowledge their economic, financial responsibility. And up to now they say, "For humanitarian reasons, we're willing to participate in an International Fund". As if they are like Australia, or Japan; as if they have got nothing to do with the suffering of the Palestinian refugees!

I do believe that our leadership will hold steadfast concerning this kind of political discourse – Israeli discourse – namely that the Palestinian leadership will not forfeit the Palestinian right of return. But if we take the worst scenario, which is unthinkable to me: let us assume that the leadership finds itself forced to accept what I call this formula of enforced peace. Even if we end up with a state, on every single inch that was occupied in '67, even if we dismantle all the Israeli settlements in the West Bank and Gaza; even if we restore all the land of Jerusalem and dismantle all the settlement towns there and have full sovereignty over East Jerusalem as an occupied Palestinian territory; if we have a 100% sovereign Palestinian State, in my opinion, that will never solve the basic element in the Palestinian-Israeli conflict – and consequently in the Arab-Israeli conflict – namely the issue of refugees. Without a solution to the refugee problem, it would be an enforced peace, a peace that would be able to contain the conflict for a few weeks, a few months, a few years at best, but the conflict – the seeds of the new conflict – would have been sown. This kind of enforced peace would be nothing but a truce between two conflicts. That is why – not only because we care about the refugees' plight – we call for the recognition of implementation of 194. It is because we care about the peace process, about having historical reconciliation, and not political cosmetics and political gimmicks that would end up with enforced peace, a peace that will never last. And you in Europe, more than anybody else, know what unfair treaties can lead to. That is why we keep our fingers crossed that the Israeli collective amnesia or self-imposed brainwashing concerning the Palestinian refugees issue will end, because without that we cannot have a serious negotiation. And without serious negotiation, we cannot have serious peace.

Nick St Aubyn MP:

If, as you say, we start from the premise that the right of return is a basic right, has the PLO Executive Committee and the leadership taken proper legal advice which surely would have explained to them that they cannot simply negotiate this away?

Dr Abd al-Rahman:

Yes, luckily enough, we managed to study our experience with the Oslo agreements

and our shortcomings there, and one of the lessons that we drew from that experience is that we should have full legal – sometimes international and sometimes local – advice, to the point that no one, no Palestinian negotiator is allowed to engage in any serious negotiation, let alone writing or drafting of agreements, without having the legal advisors and the international lawyers who are aware of these particular subjects there to okay these agreements. Because sometimes the phraseology matters a lot. As a matter of fact, the British Government and the Norwegian Government have provided us with certain amounts of money for that particular project. We have, I think, Adam Smith Institute in England, as well as many other lawyers from the US, and other Palestinian international lawyers, helping us in that.

Nick St Aubyn MP:

Do you think – given Resolution 194 speaks about both right of return and compensation – that it is possible to have negotiations about compensation, separate and before you have negotiations [on the right of return]? To say: “well, we cannot agree about right of return, but perhaps we can discuss compensation”. And could there be some attempt going on for the right of return to be dealt with as a separate right at a later stage?

Dr Abd al-Rahman:

The right of compensation is an integral part of the right of return. There have been encounters with the Israelis to discuss different formulas concerning compensation. But it has always been affirmed by the Palestinian delegates that no deal would be struck without first recognising the right of return. We can discuss the practical aspects of compensation, like, for example, establishing an international fund, who to compensate and so on, because there are all kinds of compensations. There are individual compensations, and there are collective compensations, and even with the individual ones, there are many different kinds of compensations – for those who owned a property in Palestine and those who did not.

Then you have to add the individual compensation for the individual sufferings over 52 years. Again, you have compensation for the states, and not only for the individuals. There are least eight kinds of compensations, and in this respect, let me emphasise the following simple fact: we shall never ask, in as far as compensation is concerned, anything more than what the Jews of the world got in compensation whether from Germany or Switzerland etc. We have drawn lots of lessons from their experience.

In other words, we try to tell our Israeli friends that they cannot keep asking the world, and sometimes really blackmailing the world, for compensation, and then simply turn a deaf ear when it comes to the issue of Palestinian compensation. I came to know officially from the European Union representative when we were having a workshop lately in England, that the EU are willing to share the burden of compensation. But they will only pay money for the integration of refugees and they will never pay any compensation for the properties, because Israel is the only party that should pay that. Israel confiscated that land and property. So the European Union is very clear about this point. But the Israelis say “well, for humanitarian reasons, we’re willing to participate” – as if we are talking about Rwandan refugees or as if we’re talking about the Kosovo refugees, and we’re not talking about the refugees on whom the Israelis inflicted that tremendous amount of suffering and trouble.

Neil Gerrard MP:

How possible is it at the moment, do you think, for the refugees in the camps firstly to

know what is happening in the negotiations and secondly to have some input, some influence on what is being said on their behalf?

Dr As'ad Abd al-Rahman:

Well, let me start by emphasising the well known fact that the Palestinian people are one of the most politicised people on this earth. Not because they are a special brand of human species, but simply because they were the ones to endure all this suffering. Second, among the Palestinians, the most politicised are the Palestinian refugees, who constitute 70% of that population. When it comes to their right of return, they keep a close eye on everything that happens. Palestinian refugees live in different places. Some of them live in Israel – nearly a quarter of a million there. We have something close to 1.5 million in the West Bank and Gaza. We have a little bit more than 1.5 million living in Jordan, and we have close to 400,000 in Syria and Lebanon, about 55,000 in Iraq etc. Each of these communities live under different political systems and the margin of freedom they have to express their opinion differs from one country to the other. So wherever they have a chance, they express their opinion. They call for their right of return and compensation, and warn the Palestinian leadership not to move away from UN 194.

We have popular committees in refugee camps, especially in the West Bank and Gaza who cast their attention both on the political aspect and the immediate issue of the needs of the Palestinian people. We have many institutions, bodies and organisations that have really flourished, especially in the last two or three years, whether in the US or Latin America, or England, Europe and in this region, to defend the right of return. And we have Arab involvement, not only Palestinian. First, we have Palestinian involvement, composed of refugees, then Arab and Islamic involvement, as well as international involvement. If you consider the positions taken by the various NGOs in Europe or internationally, again you will find them very supportive of 194. So the Palestinians – especially the Palestinian refugees – express their voices whenever it is possible to do so, and by whatever means.

Third, we should remember that the Palestinian modern revolution – that is to say the 1995 onwards “revolution”, “resistance”, whatever you like to call it – was initiated by the refugees themselves, especially the refugee camps in Jordan, Lebanon and Syria. In the political composition of all political organs of the Palestinian movement, be it the PNC or Central Council or Executive Committee etc, Palestinian refugees are there. They have their own brief. They are indirectly represented because the majority of the leadership is made up of refugees. I must again underline the fact that even those Palestinians, the 30% who are not refugees, are fully supportive. Even in our department we have many Palestinians who are not themselves refugees, but they are firm believers in the right of return. It is a unified position of all elements of the Palestinian political mosaic. If you look on the Internet, you will find these flourishing and mushrooming in the last few years. One of the reasons for this is because many are worried about the outcome of the negotiations. They are worried that it might not address the refugee problem.

Our first ally must be Israeli public opinion – after all we're going to make peace with the Israeli people. We have discovered that – for a multitude of reasons – the Israeli leadership has practised brain-washing through the military and the educational establishments. Israelis of various generations have not been told the truth about how Israel was established and what the cost of this establishment was. This is where the new historians in Israel came to reveal some of these facts. That is why we have grass-roots interaction, whereby we invite Israelis, young and old, to see the

refugee camps. We were astounded by the fact that most of those Israelis who came to the refugees camps – I would say more than 90% – were not in any way aware that there were refugee camps. They were not aware of the cost of the establishment of Israel – at the expense of another people, namely the Palestinian people. To quote Israeli political literature, they have practised among themselves a collective amnesia about what happened in 1948. They will tell you “frankly we didn’t want to remember because if we remember, then we would see how unethical, how inhuman were the means that were used to establish the State of Israel.”

Those who knew, chose to forget or they chose to lie. I was shocked, and I recommend that you should see a particular film. It’s a Canadian film broadcast just a few months ago. I had the shock of my life to see Mr. Peres, the well known architect of peace, tell blatant lies about what happened; to the extent that Benny Morris, the Israeli historian – who is not the most militant among Israeli historians – called him a big liar. He said: “In the case of Shimon Peres, because he participated in it, he’s a big liar. In the case of others, like some settlers who were genuinely not aware of everything,” he said “they’re ignorant, but this guy is a liar.” I’m referring to some members of the Israeli political elite. They lie about what happened, they lie about the causes of what happened, and they try to make everybody, including themselves, forget. This is what happened with some members of the Israeli ruling elite, including Mr. Shimon Peres. And that was really one of the shocks of my life.

Dr Ghazi Ubaydat (Deputy Speaker, Jordanian Parliament),
Amman, 4th September 2000

Dr Ghazi Ubaydat:

Jordan has a keen interest in the issue of Palestinian refugees, but it is felt that due to the complexity of the issue, resolution of the problem remains very distant. The majority of Jordanian politicians and leaders stress the importance of the implementation of UN Resolution 194 and of the acceptance by Israel of the right of return.

It is also understood that the possibility of the return of millions of refugees to Israel may be difficult to implement. During the negotiations, Israel must accept the principle of the right of return. The peace treaty between Israel and Jordan means that Jordan must be involved in any solution to the refugee situation.

In Jordan, Jordanians of Palestinian origin make up almost half the population. This fact has a large social and economic impact on Jordanian society. There is a feeling that Jordan has supported the Palestinian refugee population over the last 50 years, from its own pocket. A solution to the Palestinian refugee question will have to include compensation for Jordan. The standard of living in Jordan and the economic development of the country has been adversely affected by the presence of so many refugees for so long.

Britain had a special responsibility for the creation of the Palestinian refugee problem and the impact of this catastrophe on surrounding countries, and should take a central role in the resolution of the refugee issue.

In Jordan it is felt that the international community is not addressing the complexities of the Palestinian refugee problem and the wider impact of this situation. When Jordan signed a peace treaty with Israel, it did so in good faith and in the expectation that it should be part of a negotiated settlement on the refugee question. Jordan is watching the negotiations on the issue very carefully, and will not accept a settlement that does not recognise both the Palestinian right of return and Jordan's right to be compensated.

General Ma'ruf Bakhit (Inter-Agency Coordinator for Final Status Issues), Mr Muhammad Shahinkri (Ministry of Foreign Affairs, Final Status Team), Amman, 4th September 2000

General Bakhit:

He began by talking about the two major movements of refugees – the initial displacement as a result of the 1948 war and then the second movement of refugees as a result of the occupation of the West Bank and Gaza in 1967. The result is that one third of Jordan's citizens are Palestinians.

In Jordan's view, the prerequisite for resolving the Palestinian refugee crisis will be recognition of the right of return. After this right has been recognised, it then becomes a question of personal choice; whether to go back to their original homes or whether to remain in Jordan. As far as international law is concerned, even if President Arafat signs an agreement with Israel with regard to the refugees, he cannot waive the right of return.

Jordanian citizenship was not imposed on the refugees who came to Jordan, but as Jordanian citizens they expect the Jordanian Government to champion their rights. Institutionally, Jordan has a legal capacity to discuss refugee rights, based on a specific clause in the Jordan-Israel peace treaty of 1997.

International recognition of the right of return is very important also for psychological reasons to the refugees. It will be a collective as well as an individual choice by Palestinians everywhere. Compensation for material loss and suffering will be the responsibility of the international community, including Israel.

Jordan will be seeking compensation for hosting the refugees since 1948 – it has been a large drain on scarce resources. Jordan will also be seeking compensation for the future, to support those who decide to remain in Jordan. This money will be needed to integrate the refugee camps into Jordanian society in the future.

Jordan is also concerned about the status of UNRWA and will resist all attempts to see it dissolved until such time as an adequate resolution to the refugee situation has been reached.

Any resolution to the refugee problem which does not have the agreement of Jordan, is unlikely to succeed. Jordan cannot impose an unacceptable formula on one third of its population. A historical reconciliation must be accepted by the majority of refugees, otherwise no one will be able to stop another resistance movement starting in the camps.

There can be no discussions about rehabilitation of the Palestinian refugees until the right of return has been acknowledged.

Ambassador Shahinkri:

The Palestinian track is the core of the Middle East peace process; the refugee crisis is central to a resolution of the Palestinian question. There must be a just solution, because the refugees are the majority of the Palestinian population. The largest segment of those refugees are in Jordan, and make up 41% of the population.

UNRWA is an important political symbol of the plight of the refugees, and must not be dissolved. Jordan is aware that Israel is doing everything in its power to bring about the end of UNRWA. The status of "refugee" must be erased and refugee rights must be acknowledged. Jordan does not expect all the refugees to return to Israel when given the choice. They may prefer to go elsewhere – it has to be an individual choice.

Abd al-Karim Abu al-Haija (Director, Department for
Palestinian Affairs), Amman, 4th September 2000

Abd al-Karim Abu al-Haija

The department was established by the Government of Jordan and has had many different areas of responsibility. Before disengagement from the West Bank in 1988, it was the Ministry for the Occupied Territories; it was also the Ministry for Construction and has also had responsibility for the refugees from 1950 until today.

The Department coordinates all its activities and programmes with UNRWA. It focuses on the many issues and demands of the refugees both in and outside the camps. The majority of refugees, approximately 82%, live outside the 13 camps in Jordan.

The situation with regard to Palestinian refugees is different in Jordan from elsewhere because they have had full citizenship since 1950. This has placed a large burden and responsibility on Jordan. Also, the displaced Palestinians from 1967 were denied help by UNRWA from that time and have been subsidised by the Jordanian Government. In total there are 1.57 million refugees registered with UNRWA in Jordan. Jordan must therefore be able to participate in the final status negotiations with regard to the refugees. The refugees would hold the Jordanian Government accountable if it did not defend their rights. Jordan believes that UN Resolution 194 remains the main source of refugee rights under international law.

Jordan invests a lot of money in the camps and tries to respond to the needs of the refugees. Recently the Government helped introduce new IT technology into the camps. The Department of Palestinian Affairs is in daily touch with UNRWA representatives and camp leaders. The Department also coordinates with international NGOs who work in the refugee communities. The Government has also helped establish societies for women in the camps, e.g. societies to take care of orphans.

The King of Jordan and his family have been anxious to do what is possible for the Palestinians from the beginning of their exile. However, the assistance given by Jordan to the refugees does not contradict their basic right of return. The Palestinian refugee community is regarded as part of Jordanian society.

**Bahjat Abu Ghurabiya (Former Member of Executive
Committee of the PLO), Amman**

Submitted as written evidence

Honourable members of the British Parliament,

1. I would like to welcome you, and to thank you for your concerns about the Palestinian refugee cause. I hope that your concerns are based on the belief that Palestinians have the right to return to their homeland, houses and land, from which they were driven out by wars, occupation, terrorism and massacres. I also hope that your efforts are not directed towards a resolution of the refugee problem that asks them to relinquish their rights and resettle. This would allow the Zionist State to be exonerated from its crimes and from its bad reputation as a state that has been established on the land of other people, after having destroyed their homes, killed and scattered them.

2. The problem of refugees emerged with the beginning of the Zionist movement, which was created and supported by the colonist states led by Britain. The Zionist movement decided in the Basel Conference to establish a Jewish state in the land of Palestine, on the pretext that Palestine was a land without people and that it should be given to the people who do not have a homeland. They meant that Palestine was an empty land. It is clearly evident that they wanted Palestine without the Palestinians, and to do this they had to displace Arab Palestinians and disperse them so they would be able to bring Jews from all over the world to occupy and settle in Palestine.

3. The colonialist-Zionist plot against Palestine and the Palestinians manifested itself in the Sykes-Picot (Anglo-French) Agreement, Balfour's promise in 1917 and the mandate resolution issued by the UN in 1922. Article 2 stipulated that certain political and administrative measures should be adopted to ensure the establishment of the Jewish state. Then, the policies of the British Mandate aimed to help Jews to immigrate to Palestine; to buy land – arming and training them, and repressing any resistance by Palestinian Arabs against the occupation.

4. When Britain withdrew from Palestine on 15 June 1948, the Zionists had displaced about 90,000 Palestinians. It had been presumed that after the end of the war, the refugees would return to their homes as in any other wars, but Jews stopped them by force and destroyed many of their villages, destroying any hope the refugees had of returning. Nevertheless, the refugees are still holding onto their right of return, are resisting all resettlement proposals, and have expressed their desire to return to their lands, houses and farms by any means.

5. Colonialists and the Zionist movement planned to prohibit refugees from returning to their homeland. UN institutions, dominated by the US, share some responsibility in preventing the refugees from returning to their home in spite of Resolution 194 of 1948, which states the right of return and compensation. The most striking examples of this are:

* After the mass expulsion of Palestinians in 1948, the Red Cross was

responsible for accommodating the refugees in tents and providing them with humanitarian aid. Then, the UN formed UNRWA and specified its remit, which did not include helping the refugees to return to their towns and villages. Despite the existence of the UN High Commission for Refugees, which was and still is responsible for dealing with the problems of refugees worldwide - the most important of which is the return of refugees to their home, the case of Palestinian refugees has not been referred to this commission and was, instead, referred to UNRWA.

* The UN formed many committees and sub-committees of UNRWA such as the International Reconciliation Commission, the Economic Inquiry Commission for the Middle East and the Johnston Project, and held several conferences to solve this problem such as in Paris and Lausanne on 10/9/1950. Anybody who reads about these conferences and its reports will find that all of them recommended the resettlement of the Palestinian refugees outside their homeland. But they failed to achieve this goal because of the adherence of the refugees to their right, and their resistance and rejection of all of the resettlement proposals.

For 50 years until this day, the UN has not adopted a project or activity that aimed to return Palestinian refugees.

6. For over 50 years, Palestinian refugees have continued to uphold their right of return, and have expressed this right by any means available, including armed resistance to the Zionist occupation. Most international activities, led by America, are to impose resettlement proposals by whatever means, on the pretext of peace and settlement in the region.

7. In the meantime you will notice that neither the UN nor any of the super-powers, have demanded that Israel stop Jewish immigration to Palestine. Rather, they help Israel financially and militarily to ensure the influx of Jewish immigration into Israel. These policies have complicated the problem, and have led to the expansion of Zionist settlements that has been responsible historically for many crimes, including the killing of captives and many other war crimes.

8. It is unjust that Palestinian refugees are prevented from returning to their homes whilst Zionist immigration to Palestine is allowed and facilitated. The Zionist state declares that it works towards the transference of all Jews to Palestine. The continuation of these policies constitutes an aggressive act on behalf of the Zionist state, and is not for the benefit of settlement and peace.

I am asking the honourable MPs, have they thought to ask the Zionist state to stop the Jewish immigration to Palestine?

I am also asking the honourable MPs whether they have thought to ask the Zionist state to abandon making nuclear, atomic, biological and all sorts of weapons of mass destruction, as a prerequisite for a peace settlement in the region?

Imagine that you are sitting in your homes feeling secure and suddenly thieves from other countries come and drive you out of your houses and take them over. In the morning after they have eaten, drunk and slept in your beds, they look out of the windows and look at you sleeping in the open and say to you "We want peace, shake hands!" Is this the type of peace that the

Zionist state wants? To settle in our house, whilst we remain in the open?

I would like to ask you that if you were asked to allow the Jews to establish a state on a small island such as the Isle of Wight, would you agree? And if they managed to establish this state by force, terrorism and massacre, would you agree?

The first step towards a just solution, which can provide settlement in the region, is for Jewish immigration to Palestine to be abandoned, and for Palestinian refugees to be allowed to return. In respect of compensation, we absolutely refuse. There is nothing that could compensate for our homeland, and throughout history, a nation has never agreed to sell its homeland.

I assure you that the majority of our people believe that Camp David and the Wadi Arabah agreement did not cover the right of return for Palestinian refugees. For this and for other reasons, we consider these agreements unacceptable and we are not obliged to them.

We hope that your visit to the region proved to you that the Palestinian refugees should have the right of return. I hope that this visit is the first step to end the crime of 20th century. I would like you to join us in our demand for the return of the refugees to their homeland.

Bahjat Abu Ghurabiya (former member of the PLO Executive Committee), Amman, 4th September 2000.

Evidence Taken in Syria

Aydun, Damascus, 6th September 2000

PARTICIPANTS:

Dr Ali Nasser

Mayed Fanous — Safad

Dr Ahmad A'muri — Lubia

Muhammad Isa Fares — Zangaria

Dr Hussein Odeh — Fere'm

George Cattan — Jerusalem

Dr Hayel Hamid — Dalatha, Safad

Raja Dib — Zangaria

Raja Dib:

I am the coordinator of the Aydun (home-coming) group. I am a teacher by profession.

Firstly, we thank you for inviting our group to meet you, and for listening to our concerns as refugees. When we were told about this meeting, we prepared a memorandum setting out a solution to our problem as refugees. The Aydun group was established only recently on an initiative of the people (as distinguished from the government.) We have brought you the group's Declaration of Principles. Our views are expressed in this document. As to the questions posed in your questionnaire, we will answer them later on.

Hayel Hamid MD, FRCS, university lecturer (general surgery), consultant in general surgery, British citizen:

Although I am British, and live here, I do not accept that my homeland should be replaced by any other country. This is the main consensus. We will not surrender or give up our struggle to go back, peacefully or otherwise, to our homeland.

The British government is historically responsible. You probably know, or perhaps you do not, that the Balfour Declaration of 1917 promised the Jews a homeland in Palestine while Palestine was still part of the Ottoman Empire. So, Balfour promised land that he did not own to other people. Later on, the British Mandate came into effect in 1920, and the main backdrop to this colonisation was to facilitate the establishment of the State of Israel in the land of Palestine. Thus, we think that Britain has a historical responsibility for the refugees' problem, and we hope that you will rectify this by helping us to secure our rights in our homeland.

George Cattan:

I am from Jerusalem, an agricultural engineer.

As regards these questions, I agree with the first option here: the right of return with compensation. Regarding the other details, you will find our views in the memorandum we have presented to you. This is to avoid wasting any time.

Dr. Hussein Odeh, surgeon and university lecturer:

I have to say that the only option that I can accept is to return to my homeland. This is foremost and final.

The main point that we advocate is that Palestinian refugees who were evicted from their land in 1948 return home. This is the principle issue. On the other hand, no state or government has the right to possess the land that my grandparents and

uncles live on and own to this day. Yet others from the same family remain displaced outside. No one at all, whether a Russian Jew, an American Jew or a British Jew, has the right to own the land that is mine as proved by existing deeds.

In 1950 the Israeli government granted all Jews the right of return to land that they do not own. At the same time, the real owners of this land are displaced outside. It is our land.

Muhammad Isa Fares:

I am managing director of a private hospital.

Sirs, you speak of compensation. I left Palestine when I was seven. I remember, to this hour, that most dreadful day. We were a family of five. My father, my mother, two younger brothers and myself. My father stayed behind. We had a few cattle, so he stayed to mind them. He only had a stick to face the Jews' bullets and machine guns.

I remember us running in the night, my mother holding my hand, and carrying my brothers, one of them two years old, not yet weaned, on her shoulders. Running, escaping, to where I did not know. Our village was close to Syria, separated from Syria only by the River Jordan. When we reached the river, my face was all covered with blood. I had blood streaming down my face from thorns, and my clothes were covered in blood.

In short, we lived in the shade of the trees for four months. My two brothers died of hunger. It took my father four months to find us – four months until we were reunited as a family. Twenty years later, my father longed to visit his land. The Israelis killed him; they shot him dead.

What is the price of this family? What compensation could be offered for this?

Sirs, we have not killed Jews, and we are against killing Jews. We have not incinerated Jews, and we are against their having been incinerated. It is the Europeans that killed and incinerated the Jews. So why do the Jews kill, burn and evict us?

What price could you offer us? What compensation?

Sirs, we want to go back to our homeland, like the rest of the peoples of the world. Thanks for listening. This is but a very small fragment of our tragedy and suffering. Our grandfathers and relatives were shot dead. They were slaughtered. Slaughters, real slaughters the like of which you have never heard. There was no battle; there was only an unarmed people against an army that you trained – an army equipped with aeroplanes, tanks and machine guns. And we had only sticks and stones.

This is our tragedy. What price could there be for such a tragedy? Why are hundreds of billions being paid to the Israelis to buy weapons to slaughter us with? Thank you for listening.

Ahmad Amuri, urologist, from the Aydun group:

I will briefly make one point. Is the international community not ashamed of the persistence of a tragedy that has continued from the 20th to the 21st century? At the same time, we hear about armies and fleets being mobilised elsewhere to return some people to their homes within months. According to international conventions, the Palestinian cause is the most just in the world, more so than most other causes.

I want to address a question to the British delegation. I cannot understand how a Russian, British, or Polish Jew could be said to be returning to Palestine when he was not born in Palestine? They were not refugees in Russia.

My father served in the British army. He was a corporal. When he saw the British arming the Zionist militias, he left the British army, giving up his retirement package,

and stood in defence of his cause and his family.

We were expelled to Lebanon, then to Syria. I was born in a mosque. When I was born, my mother did not have even a piece of cloth to wrap me in, and women went out into the street asking if anyone had one. This is just one simple tragedy. The Palestinian people have millions of tragedies.

I just want to ask the European conscience – if something of the sort exists – how long will the tragedy of the refugees continue?

Mayed Fanous:

I am an attorney at law, from Safad.

Concerning options, like all of us, my choice is to return to my birthplace, Safad. I am not going to talk about our eligibility to our rights; you have heard so much about our right of return that I think this has become clear. Human rights, international resolutions, all of this is known. All those people who have been evicted from their homeland were supported by the international community. I believe that if the international community does not support our right of return, and if we do not hear clear voices in support of our cause, the international community's credibility in defending human rights will be compromised. Because our case is crystal clear, and its solution is crystal clear.

I thank you very much, especially for what is written in the introduction, though I have not finished reading it. These words, no doubt, are heartening and comforting. It is heartening to find that even now, after 50 years, there are people who sympathise with our suffering. I believe that this will be very well received by the Palestinian people. Thank you.

Ernie Ross MP:

I thank you all very much for presenting your case very briefly and concisely. Could you tell me how many members are in the organisation?

Raja Dib:

The group was founded recently. And I believe that its importance lies not in the number of members as much as in the alternative it puts forward. Thus we cannot speak of numbers, but there is a group of founder members, and their names and addresses are stated in the Declaration of Principles.

Dr Ali Nasser:

I would like to add that this is not a political group or party. So we do not have a hierarchy, we do not have a structure, to say that we have this number of members. But we do have representatives. I mean we have our connections all over the camps here in Syria. So we can talk about a number, we are 100 or so. The names of the founders are on this list. It is not a political group; it is a society.

Menzies Campbell MP:

I will ask my friend from Edinburgh, where were your children born? Did you have any children born in the UK?

Hayel Hameed:

I have four children. They were born in Damascus, but they have British nationality.

Ernie Ross MP:

I wanted to ask you what their attitude was in relation to the right of return?

Hayel Hamid:

If you ask them "Where do you come from?" they will straightforwardly say: "We are from Palestine," although they were born in Damascus and have never seen Palestine. I have never seen Palestine. I was born in Syria as well. My children, though born in Damascus, if you ask them where they come from they will tell you, "We come from Palestine." This is in their blood. Especially nowadays, on TV you can see everything, everywhere. You see views of Palestine, or Israel, and your father says, "This is our home." This is our home; this is our land. You live it all the time. There is not a family among us that has not lost one or two of its members in this struggle in the past 50 years. So you live the problem daily. We never forget it. We will never forget it.

Neil Gerrard MP:

Could you tell me, as an organisation, and I appreciate that you are recently formed and from what you said about the structure I understand how you intend to operate. How do you see yourselves as being able to represent the views of Palestinian refugees, and what are the ways in which you can make sure that these views are heard?

Raja Dib:

As Palestinians we all live in different places. We are part of the Palestinian people. Return is the main issue that Palestinians talk about. Even the school song children sing in the morning is called Aydun. In our feasts we wish each other "return". In every Palestinian home you will find a map of Palestine on the wall. Our aspiration, the aspiration of all the Palestinian people, is to go back as we were before 1948.

And I would like to explain two points. Firstly, our aspiration for return is not due to economic difficulties, or a lack of civil rights. We, the refugees in Syria, have enjoyed the protection and care of the Syrian government since we first came here. We are integrated into Syrian society. Most of us in the group work in Syrian institutions. Thus, we choose return because it is our natural right. If you ask any child who has never seen Palestine about his or her identity, they will tell you they are Palestinians.

Secondly, we believe that enforcing the right of return is possible. Our villages and lands are still for the most part uninhabited. Hence, our choice is not utopian; it is feasible. Therefore, I believe that your efforts, and the efforts of the international community, could contribute to our realising that choice. If you have the time, you can visit the places where Palestinians live and you will be able to confirm what I have said.

Hayel Hamid:

I want to tell you a little story about what happened to me last week. I was sitting with some colleagues, surgeons. They asked me whether I would go back if I had the choice. They knew that from a financial point of view I am probably better off now than in 1948. I said: these are my keys. These are the keys to my clinic, house and car. Take them. You can take the house, and the clinic, and the car. But take me back to Palestine. This represents how strong the feeling is. I want to go back to Palestine. This does not mean that we then would not come back to Syria or Edinburgh. We want to confirm our right. After that, I might go and live in China or elsewhere. But I must

preserve my right and my children's right in Palestine.

Nick St Aubyn MP:

There are two groups we have had difficulty reaching directly. One is students and the other is women. A number of you mentioned that you are university lecturers. What debates do your students have, first of all, about their right to return, and secondly, what thoughts do they have about how they might exercise it?

Dr Ahmad A'muri:

Ben-Gurion, the founder of the State of Israel, had a famous saying: "The old will die and the young will forget." Nothing could be further from the truth! It is the young that resist and hold fast to the right of return. Ninety percent of those who died in defence of the right to return are young people who were born outside Palestine. This is reaffirmed everyday. The "stone-throwers" are the most obvious proof of this. Among the Palestinians living in Israel itself, young people insist on our return more than most. We hope that in your visit to the land of 1948, Israel, you will ascertain this.

Israel has not been able to eliminate the national identity of our people. Because this is a historical right. And I believe that historical rights do not expire. This is an eternal truth. So, to conclude, it is the youth, more than anyone else, who hold fast to the right of return.

Hayel Hamid:

The youth are more angry than older people. Young people are inclined towards struggle more than a peaceful solution. About women, Palestinian women are mothers of martyrs or people who have lost an arm or a leg. Most of them have suffered more than any other group in Palestinian society. In spite of all this suffering, they are more determined to go back to Palestine than any of us men, young people or children. Mother equals homeland.

Muhammad Isa Fares:

I believe that the refugee problem is the crux of the Arab-Israeli conflict. There will be no just and peaceful solution without resolving the refugee issue. The Israelis have denied the existence of Palestinians for 20 years. Now there is a Palestinian people that wants to go home. There is the problem of five million people; most of them want to return to their homeland. In our work we are in direct contact with the masses.

Dr Ali Nasser:

I just wanted to add something about the question of how we want our voice to be heard. Well, I think that when you went to Palestine, you heard what the question of return in this context means to us now. Previously, it was connected to the question of liberation, the national movement as such. Now we are learning, and we are doing our best. Now we are using advanced technologies, we communicate with each other as activists, as groups, from Palestine, Lebanon, Syria, Jordan, Europe, the US and so on. We are working to raise people's awareness of this issue. We are aware of our rights, but we do not know how to achieve them, how to implement them. And we are lobbying towards this. So this is the question. We do not have a structure as an organisation. I do insist on that. We are not a political party or affiliation. We are part of civil society. And we do work with other groups, with political parties even. If

there is a common objective, we cooperate. This is what I wanted to add.

Mayed Fanous:

I just want to add a point of explanation and clarification concerning the question about the new generation. Since you are visiting different places here, you could visit some of the families of martyrs. You will be surprised to find out, just as Dr. Ahmad said, that most of them, more than 90%, were not born in Palestine.

The Palestinian resistance was launched in 1965 and continued onward, the Palestine Liberation Organisation was founded, and large-scale, courageous operations were carried out. All of this was done by young people who were not in Palestine but were connected to Palestine and wanted to return to Palestine.

Dr Hussein Odeh:

We live in camps. In these camps there are schools. Most of the Palestinian children go to these schools. We teach our children that they are Palestinians. We tell them "your land is out there", "your home is out there". We have pictures and documents showing our children that this land, these homes, are ours. We instill in them love of the homeland; even in cartoons. There was a cartoon film that was shown in Warsaw, Poland, whose message was that even chickens have homes. So how is it that they are refugees? We ask them the question why are they called refugees and why is their school called the "School for Refugees?" We were born with the title "refugees". And we live with it all the time. Hence our insistence that we have a homeland and we will return to it.

Dr Ali Nasser:

The situation that is our fear is that there is international pressure on the politicians to deal away our rights, that they cannot withstand. At some point they may succumb to it.

Dr Hayel Hamid:

Thank you very much for making the effort to come here. This is only a small part of the agony that for 50 or more years most of us, all of us, passed through. The 750,000 Palestinians that left Palestine in 1948 are now about 8 million, most of them highly educated. We are not ignorant; most of us are highly educated. The living standard of most of us, like everyone else, is not so bad. But this is different. I want to go to Palestine. When I get my rights in Palestine I will probably then go and live in Edinburgh.

Aydun, Damascus
Submitted as written evidence

After more than 50 years after the 1948 war, the Palestinian people are still prohibited from enjoying their natural human rights, particularly the right of return and the right to self determination. Yet, many international resolutions have been issued, in particular Resolution 194, on 11th December 1948, following the mass expulsion of Palestinians, when the Israeli army demolished Palestinian villages and towns, stole their property and slaughtered them. These actions forced the UN's Secretary General Count Bernadot to submit his recommendations to the General Assembly on 16/9/1948 with respect to the Palestinians' cause. The most striking of these recommendations was that Palestinian refugees who wished to return to their homes should do so as soon as possible.

On 11th January 1948 the UN General Assembly was held to consider these recommendations and issued Resolution 194, in which paragraph 11 states that " Palestine refugees who wish to return to their homes and live in peace with their neighbours should be permitted to do so at the earliest possible date..."

To ensure the implementation of the resolution, the UN General Assembly agreed to accept Israel's membership into the UN on condition that Israel pledge to implement the UN's resolution.

From UN Resolution 194 being issued up until now, the UN has reiterated this Resolution every year. Israel has not only rejected the UN's resolutions but has also failed to abide by Article 13 of the Human Rights Charter. Yet, the international community is still dealing with the refugees' cause as a humanitarian issue, and ignores the other legal, political and moral aspects. The UN has restricted its role to providing help through UNRWA and has avoided implementing its resolutions regarding the right of return. In addition to the above, the Israeli rejection of the right of return and the imbalance of power on the Israeli side, all help to jeopardise the right of return.

As a response to this situation, the Palestinian communities in the diaspora have organised a wide range of activities that aim to preserve the right of return and to link this right with the right of self-determination. Many organisations have been established all over Palestinian refugee communities in order to achieve this goal.

In Syria, Palestinian refugees enjoy the same civil rights as Syrians citizens, and they are fully integrated socially and economically within Syrian society. However they still hold their national identity, and their main aim is still to obtain the right of return as a collective right. They have expressed that aim by participating in the Arab and Palestinian liberation movement, resisting all Zionist initiatives, demanding that UNRWA continue to provide its services as a symbol of the international community's acknowledgement of the problem of Palestinian refugees.

Some independent Palestinian refugees in Syria have established the Aydun group, as a challenge to the current threats to the national rights of the Palestinian people and to avoid Palestinian refugees in Syria being excluded from activities aimed at reinstating their right to return to their houses and their right to self determination.

The Aydun Group is an independent, civil society group which is not con-

cerned about political affairs so much as the right of return. It is open to all of those who support the right of return.

Our objectives:

- * To mobilise Palestinian refugees in order to put pressure on policy makers to implement the right of return, and to safeguard against any concessions in respect of this right in any future solution or settlement.
- * To coordinate with all Palestinian, Arab and international organisations working in this field.
- * To mobilise the international media to support the right of return for Palestinian refugees.

Activities:

The group's activities are based on human rights principles, conventions and charters with regard to the rights of Palestinian refugees, and focus on three levels:

1. Working amongst Palestinian refugees in Syria in order to give them a chance to get their voices heard in relation to their right of return and right to self-determination.
2. Palestinian refugees in Arab countries and the rest of the world. In order to communicate better, and to exchange information and experience to implement this right.
3. International media and human rights organisations. To gain their support to help the Palestinian refugees to return to their homes.

We hope that you will support the right of return for Palestinians refugees.

*Majed Fanous, Muhammad Isa Fares, Muhammad Matouk, George Cattan, Raja Dib, Na'meh Nasser, Diab Khalef Diab, Hassan Awda, Ahmad Saleh.
Damascus 22nd July 2000*

Hamad Mu'ad:

I was born in a small village near Nazareth in 1947, and am currently living in Yarmuk Refugee Camp. I was a graduate of Damascus University in English Literature in 1970. A German researcher and translator, I have written about 14 books. There is no need to enumerate them. I am an independent researcher.

Dr Mustafa al-Abyad:

I am a surgeon. I was born in Damascus. My father was born in Jaffa. I was born in 1956. Five years ago I took the position of General Director of the Palestinian National Fund and take responsibility for a Palestinian research centre in Damascus. Since I was born I have lived in Damascus with all my family. I will begin.

We want to return to Palestine. To our home and to our lands which up until now, we own legally. And also we want peace, justice and equal peace – for everybody. We want to apply the resolutions of the United Nations General Assembly. We hope to do that peacefully and to return to our Palestine. This is the aim of our working here and this is the opinion of most of the people who live in Syria now – Palestinian people in Syria.

Certainly we want a step forward, we don't want a step back. This is how I see an independent state of Palestine, which we hope to be established and recognised. It will be a step on our way to return back to Palestine.

Hamad Mu'ad:

It is a pleasure to talk to you. The Palestinians in Syria constitute 2.4% of the total population of Syria, and about 11% of the total population of Palestinian refugees in the diaspora. In Syria there are about 14 camps. Ten of them are recognised by UNRWA and four of them are not. Those that are not recognised include Yarmuk camp, where I live, near Damascus. The Palestinians also live in more than 20 localities inside Syria outside the camps. To give you some sort of idea about the Palestinians: about 70% of the Palestinians live in camps; about 30% live in localities outside the camps. In the bigger cities where Palestinians are living in Syria according to Syrian law and Syrian jurisdiction, the Palestinians are being given equal rights with the Syrians in every regard except for candidacy to the Parliament and the Presidency and to vote in the municipal elections. They are given all the allowances and services on an equal footing with the Syrians and there isn't any formal differentiation between Palestinian and Syrian. My daughter studies medicine as Doctor Mustafa did, and pays fees for the university.

The Palestinians in Syria have been very active in Palestinian national projects since the early 1950s. They have played a major role in Palestinian national politics and in the development and processing of Palestinian thinking. The Palestinian refugees in Syria have taken part and are still taking part in the Palestinian national struggle to regain their Palestinian national rights – the right to return to their homeland, the right of self-determination and to a Palestinian state. Among the Palestinian refugee population in Syria, for the time being, the PLO is considered as the sole and legitimate representative of the Palestinian people. They rejected any sort of submerging or dissidence and creating a representative for the Palestinians, regardless of who is funding or who is pushing for that. Mainstream Palestinian national thinking and national politics in Syria is in conformity with the Palestinian national thinking

elsewhere, especially the politics of the PLO.

From the beginning of 1948 until now, we look at the Palestinian refugee issue, politically speaking, as follows: It is a political problem. It began with the uprooting of the Palestinians and of them being expelled by expansion and terrorism. Then they were deprived of the right of return, regardless of the United Nations General Assembly and United Nations Security Council resolutions and other international bodies' resolutions. So far we've been asking for international legitimacy to be implemented as far as the Palestinian refugee issue is concerned. We think it is advantageous for the people of the area – including for the Israelis – to have a peaceful settlement of the refugee issue, which is based on the implementation of the United Nations General Assembly Resolutions, especially Resolution 194, Article 11 which grants the Palestinians the right to return to their homeland and the right to self-determination.

We don't think, as Palestinian refugees living in Syria, that there is a possible resolution for the issue of the Middle East problem, if the Palestinian refugee issue has been given secondary status or shelved. As I've written to you in my paper, I think peace should guarantee and safeguard the rights of all peoples in the area. Cooperation and coexistence can never be practicable unless the needs and interests of each party in the area are guaranteed and taken into consideration and respected. We think that the right of return is possible and I told it directly to my Israeli colleagues who attended the conferences on refugee issues in Ottawa in 1997 and Warwick in March 1998. I told them that the right of return is very possible and simple. There are lots of de-populated areas in Israel and Palestine. And in a place which is no more than 100 square kilometres, you can build towns which can be inhabited, in which a million people can dwell.

Also the right to return cannot threaten the interests of the Israelis. On the contrary, we believe – and I think many thinkers in Israel believe – to liberate the Israelis, and especially the Jews, from the dictatorships of the orthodox religious parties and the orthodox thinkers and extremists in Israel, there is a need for Israel to be changed into a citizen democracy, not a ghetto. It will be dependent on respecting the rights of others. And this should require the respect of the right of Palestinians to return to their homeland. I think also politically speaking, the Palestinians are not a human wreckage. They have done well in education, in high-tech, in industry, in business. They have accumulated good experience in many parts of the world, in the Arab gulf and in host countries. And this experience can be invested, creating a prosperous country once this population, once this highly civilised and highly institutionalised population, has been given the right to return.

Practically speaking, I don't have dreams. History teaches us many lessons and we have to take them into consideration. I don't think that once the Palestinians have been given the right to return, they will hurry, carrying their luggage and moving forward in millions. The Circassians were given the right to return in the mid 1970s by the Soviet government. They were expelled in 1915, but only scores of thousands returned. The Crimean Tartars, the Kosovans were expelled; they were given the right to return. The movements of peoples are not mathematical. They are complex, there are many aspects to be dealt with and taken into consideration

The international community's interest in the Palestinian peoples has portrayed the Palestinians as dependent on international aid and on the verge of starvation. In the last 50 years, the international community has been helping the Palestinians lose their sense of self-value. The loss of sense of value pushes him to be a puppet, a would-be mercenary, a tool for others to manipulate. Once we have recovered our

sense of value and respect as a people, we can move forward to take our part in building the future of the region. You can never think of regional development as long as there is an important part of this region which is kicked away, shelved, separated, or isolated, in tents or in camps.

What are the options that might be looked at as replacements, to replace the right of return? Let me discuss them one by one. The right of return gives the Palestinians their sense of self-respect, sense of value and sense of ability to take part in the building of the future of this area. Israel thinks of resettlement. What does resettlement mean? It means changing the people from human beings, from citizens, from those belonging to a nation, a congregation of people having national aspirations, national belongings, national historical particulars, into mathematical or digital numbers, digital data which can be stored here and there, which can be divided, to be carried in cargo ships and cargo planes here and there.

Resettlement for the Palestinians means the continuity of deprivation, degradation and dehumanisation. Could the Palestinians be integrated into the people of the host countries? Frankly speaking, we live in a mosaic, in a very intricate ethnic mosaic. Circassians, Armenians, Kurds, Assyrians and so on have been living here for centuries. Each minority speaks its own language, has its own aspirations and dreams of the day when they are able to attain the right of self-determination. Also resettlement means coercion, compulsion, the absence, the disappearance of justice. Peace, real peace, cannot be in contradiction with justice. Resettlement means inequality. A people is given the right to self-determination, guaranteed in United Nations General Assembly Resolution 181 in 1947. The other part of the population – an equal part – the other part of the equation was taken away. Resettlement means the perpetuation of expulsion.

The other option given as a solution to the refugee problem is compensation. According to the United Nations General Assembly resolutions and the other parties of international legitimacy, the Palestinians have been given the right of compensation for loss of property, personal and individual loss, physical loss and psychological suffering. According to international law, individual property is guaranteed. The right of a person to individual property is guaranteed regardless of citizenship, even regardless of who is signing the agreement. For example, should the Palestinians still sign an agreement for a solution to the refugee problem, saying or including the end of claims – end of individual claims? Claims to compensation, claims for property, and so on. According to international law, a state does not have the right to nullify the rights of the individual to property ownership. Compensation could help the Palestinians, and it is an integral part of their rights. And it is guaranteed by international law. But compensation can never replace the right of return. Because no one can say that a homeland is for sale. We don't think that there is a population, a people for sale. As long as the refugee problem is not solved, the Palestinian refugee population are entitled to the right of getting international assistance and help – especially from UNRWA. UNRWA was created to help the Palestinians and because of the establishment of UNRWA, the Palestinians have been excluded from the Refugee Convention of 1951, especially article 1d of the Convention. Any thinking of the dissolution of UNRWA would be detrimental to the status of the Palestinians, to their humanitarian standard of living, education, health services, social needs, and also would push the area into chaos.

For the Palestinians, UNRWA is a symbol of international commitment to the United Nations Resolution 194. The dissolution of UNRWA would mean that the international community is washing its hands of its international commitment. The third

option to solve the Palestinian refugee issue is transfer. It is not very modern. It is 100 years old or more. According to the Zionist fathers and grandfathers of Israel, there were proposals to transfer the indigenous people of Palestine to somewhere in Iraq or Mesopotamia or to drop them off somewhere near the Orontes. Transfer was practised and implemented at gunpoint against the Palestinians in 1947 and 1948, and it was practised as a state policy at gunpoint in the aftermath of the 1967 war. And the Finance Minister in Golda Meir's cabinet in 1967 was the minister assigned to supervise the transfer of Palestinians from the West Bank and Gaza to East Jordan. Transfer means the uprooting of human beings, putting them into cargo – buses, trains, planes – and pushing them to elsewhere, to God knows where. Politically speaking this would trigger massacres, social and political upheavals, and first and foremost it would never lead to peace. If the region dreams of peace, it can never exclude justice. I don't believe in the reversibility of time. I don't think that we can change things to the status in which they were in 1948. I am realistic. We are living in the year 2000. We have an interest in enjoying the benefits that have been created in the last 50 years. Why not? As Palestinians we can study at universities and we can teach at universities. We have access to hospitals, schools, factories, universities, academies and so on.

Menzies Campbell MP:

Might I ask a personal question and then a political one? You mentioned your daughter who is studying medicine. What is the attitude of that generation to the question to the right of return? And the second, a political question: can Arafat sign any document which does not contain the right of return in the terms in which you have eloquently described them?

Hamad Mu'ad:

I'd be pleased to answer. Both the younger generation and the older one, each of these generations has its own attitudes, its dreams and its perceptions of the right of return. For the older generation, the right of return depended on oral history. Tales about homeland, of the so-called, imagined homeland, which was in contradiction with or not identical with the real homeland. But so far, they have been insisting, persistently adhering to the right to return. The younger generation has been more fortunate. We have cinema, television, video tapes, books. When I was a boy, I was never able to see a picture of my own village. For me, it was some sort of utopia, a dream.

Nowadays for my kids at home, they have films, books of my own village. The expression of the adherence to the right of return as far as terminology is concerned: for us the expression of the right of return was some sort of moral and psychological adherence. Before the mid-1960s, this adherence was a kind of nervousness, anxiety, neurosis. But when things changed there were some psychological changes, especially in the late 1960s and 1970s. We had our revolutionary dreams. We had to learn to be more realistic. In the 1970s and 80s we got more experienced. The self-expression of this perception of the right to return of the new generation is more practical. For example, in 1998, a CNN reporter visited Yarmuk camp, and I accompanied her to ask people, especially secondary and preparatory school kids what they thought about their future. Why do they want to return? She was surprised when students told her that we have to return to be human beings, to return to our homeland, to live as others live

Menzies Campbell MP:
And Mr Arafat?

Hamad Mu'ad:

I think politically in many conferences you can never find a Palestinian leader, neither Yaser Arafat, nor anyone else, who is ready to concede the right of the Palestinians to return. At least in theory. There might be compromises here and there. There might be deeds here and there. There might be shelving or fragmentation of the Palestinian diaspora. There might be a package of solutions or options, but no one will be able to concede the right of return once and for all. And I don't think that Yaser Arafat is ready to commit suicide – and I know him personally very well.

Nick St. Aubyn MP:

Can I just ask one more point on that? To the extent that this decision was presented as an individual choice to Palestinians living in Syria: how far do you think they would be influenced in that choice by their own political leadership?

Hamad Mu'ad:

For the Palestinian leadership I think dual citizenship in international law is acceptable. In Syria, a Syrian citizen can have dual citizenship. Whenever he comes to Syria, he is a Syrian citizen. But will the Palestinian accept to be a Syrian citizen here while he is a Palestinian citizen in absentia? For the leadership, politically speaking and realistically speaking, factional leadership here in Syria is playing a marginal role in Palestinian national politics. The Palestinians are gaining more a sense of national identity. That's why they would prefer to be given the right to be considered a Palestinian community living in a permanent status in Syria, rather than to be considered a Syrian community or to be given Syrian citizenship. But the second choice to be considered a Palestinian community in a permanent residence with a permanent residency right would mean many problems and obstacles. Once we are considered a Palestinian community living in Syria in a permanent residency status, we should pay for fees for residency, we should be deprived of the allowances such as health, education, housing, and so on. Also we would be deprived of jobs. My colleague has a job as a surgeon and has a clinic near here. But once he is considered a member of the Palestinian community living in Syria, he is an alien person and therefore should either pay about 200,000 Syrian pounds as an annual fee for his clinic – a sum that he can never dream of – or he could be an unemployed surgeon.

Neil Gerrard MP:

You talked about the development of expertise and skills in the Palestinian community and the levels of education that have developed over the last few years. There are two points I'd like to ask in relation to that. Do you think there is any understanding in Israel of what returnees could actually bring back? And secondly is there any possibility, is there perhaps the potential that some of those people who are the most skilled, who have made themselves very settled economically, developed roots in those countries, may be reluctant to return?

Hamad Mu'ad:

Well, I'll begin with the last issue because it's easier. I've got to know millionaires, highly educated professors in high positions, musicians, who have their own properties in Syria, Jordan, Lebanon and Canada and elsewhere, and they have never given

up the right to return. On the contrary. For a long time, the Palestinian refugee has been portrayed to the outside world as a man in need of assistance. He has been dehumanised and deprived of many aspects of his character and identity. For example, there was the time when the Palestinian has been portrayed – even in Arabic literature – as a waiter, waitress, a butler, a thief, a highway man.

Mustafa al-Abyad:

May I return to the question of my neighbour here. My colleague mentioned that if anyone finds a Palestinian leader to sign something about the right of return, we insist that this is an individual right. If you find anyone signing this, it is not allowed. We insist on it being an individual right.

Hamad Mu'ad, Damascus

Submitted as written evidence

1. The international community cannot forever turn a blind eye to Israel's negligence and disrespect of international law and UN resolutions pertaining to the legitimate rights of the Palestinian people including the right of return, self-determination and national statehood.

2. There is an urgent need to deal with the political as well as the moral nature of the Palestinian refugee problem. An increasing number of Jewish and Israeli writers and thinkers do not contest the fact that the Palestinians were terrorized and expelled. The Israeli writer Hannah Arendt wrote; "We will have to face the reality that Israel is neither innocent nor redemptive... that in creation and expansion, we as Jews have caused what we historically suffered, a refugee population and diaspora".

3. A just and lasting peace is only attainable through justice and equality; peace is possible only when both parties recognise and respect the rights and needs of one another. This must mean that the inalienable rights of the Palestinians are not to be dictated or jeopardised.

4. The political aspect of the Palestinian refugee problem is very simple; at a stroke about a million Palestinians in 1948 lost their homes, properties and means of livelihood, civil and political rights which the state is traditionally expected to uphold and guarantee. So far, the Palestinian refugees have been diasporised and dehumanised. Also, the Palestinian refugees have been refusing to be turned into human wreckage.

5. The solution of the refugee problem is very simple and clear, namely to implement the right of return which is sacred, lawful, possible and humane and consistent with the terms and spirit of international legitimacy:

a) Since 1948 the UN General Assembly, the Security Council and other international bodies have issued hundreds of resolutions in favour of the right of return.

b) Paragraph 12 of the International Convention on Civil and Political Rights of December 1966 states: "No one should be prevented by force from returning to his homeland."

c) Paragraph 13 of the International Declaration on Human Rights of 1948 emphasises that every person is entitled to the right to return to his or her country.

d) The European agreement on the Protection of Human and Basic Rights Protocol No. 4 Paragraph 3 asserts that it is impermissible to deprive any person the right to return to the state where he is one of the citizens.

e) The African Charter on Human and Peoples Rights of 27th June 1981 states that everyone has the right to return to his/her own country.

f) The American Convention on Human Rights of 1969 says that it is inadmissible to expel any one from his/her country or to deprive him of his right to return to it.

The implementation of the right of return will never jeopardise the interests of any people in the region or the world at large. It will change Israel into

a citizen democracy.

6. Double standards and power politics will lead to the division of peoples, with regard to their legal status and basic rights, into two groups. Those whose rights and aspirations are respected and safeguarded and others whose destinies are dictated by others. This is flagrant racism and apartheid.

7. The Oslo agreements have made refugees believe that their cause is shelved. Building the state, institutionalising civil communities and safeguarding democratic values in the Palestinian state would necessarily usher the refugee issue forward towards a just and lasting solution.

8. The Palestinian refugees have voiced their opinion many times that they will never accept resettlement, transfer or regrouping. Also they will never accept division into parts, to be carried by cargo planes to different parts of the world. Nor will they accept the fragmentation of the Palestinian Diaspora so that each fragment might be dealt with separately.

9. Peace is justice and equality. Compulsion and coercion will be detrimental to the interests of future generations in this part of the world.

Ali Mustafa (General Administration for Palestinian Arab Refugees – GAPAR), Damascus, 6th September 2000

Ali Mustafa:

Palestinian refugees in the Syrian Arab Republic are provided with services by the government of the Syrian Arab Republic, via the General Administration for Palestinian Arab Refugees (GAPAR) and UNRWA. There is strong cooperation between the government and UNRWA. We in the Syrian Arab Republic have received refugee brothers since 1948 when they were expelled. The Syrian Arab Republic treats the Palestinians as it treats its own citizens in all aspects of life, except for the issue of nationality.

The Syrian Arab Republic spent about \$55m last year on the Palestinian refugees who live in Syria and who are registered with GAPAR. This expenditure covers education, health and social security affairs. However it does not include labour. Wages and salaries are a different issue.

The body representing the government in providing the services to the Palestinians is GAPAR. This body is responsible for the civil register of the Palestinians who live in Syria. GAPAR carries out some projects annually in the camps of the Palestinian refugees. There are many educational institutes that belong to it, such as the Institute of Female Orphans and the Institute of Male Orphans, from the elementary to the preparatory stage. These are boarding institutes. GAPAR provides all services to the students such as beds, clothes, food and pocket money. In Syria, we have 13 Palestinian camps; GAPAR supervises all these camps. The situation of the refugees is very good compared with that in other host countries. Schools, universities, hospitals, factories and all the state institutions are as open to Palestinian refugees as they are to the Syrian citizens.

The position of the refugees since 1993, when the Oslo Accords were signed, has been extremely frustrating. The reason is that before Oslo, the United Nations used to issue resolutions based on Resolution 194, with the agreement of all the Palestinian groups. Whereas after 1993 Palestinians have refrained from voting, or there is opposition from the US, who claim that this issue is one of the final issues between Israel and the Palestinian Authority. Therefore Palestinian refugees feel that there is a process of bargaining between Israel and the Palestinian Authority, which is working against them. They are now pursuing various methods in order to confirm their right of return to their homeland.

The Palestinian refugees in Syria insist on two points: the first is their absolute adherence to their right of return, which they will never ever abandon. The second is resettlement. They notice that there are some attempts to settle them in the places that they live in now. Hence, they also reject absolutely any kind of resettlement. They talk about following the example of southern Lebanon if the international community abandons their right of return to their homeland; if the international community declines to find a solution for their issue, then they will consider resistance to the occupation as the only method they have.

However, they still consider that their issue is alive, for two reasons: first, the continuation of UNRWA in its work, providing evidence of the ongoing commitment of the international community to the refugees' issue. Second, the existence of some active committees and groups that believe in the right of the refugees and strive to find an acceptable solution for this problem, including this British parliamentary delegation in Syria. They consider these activities to be the expression of support for their issue. They believe that solving the refugees' issue should be based on Resolution

Hence, we give priority to two issues: the first one is the continuation of UNRWA's work until there is a fair solution to the problem of the refugees, based on Resolution 194. The second point is that solving this problem should be based firstly on Israel ratifying the right of the Palestinian refugees to return to their homelands according to Resolution 194; secondly, this solution should not be reached through negotiations between Israel and the Palestinian Authority alone. There are some important parties that should be included in the process: 1 – the host countries; 2 – the United Nations; 3 – the Security Council members through the UN; 4 – the European Community; 5 – representatives of the Palestinians in the diaspora.

After Israel acknowledges the refugees' right of return, all these parties could assemble in an international conference to find a way of implementing this right and resolution. What Israel claims about the impossibility of their return is untrue. Arab villages and cities are still in ruins. Their inhabitants were expelled, they were demolished and they are still in ruins. These villages and cities could be rebuilt and the refugees could go back to them. As a Palestinian refugee, I cannot accept not being allowed to return to my homeland while Russians, Americans or anybody else are allowed there just because they are Jewish.

All these events that take place around the world have had psychological effects on Palestinians. I confirm once again that if Palestinian refugees reach the point of believing that their problem will not be solved, and that they are sold in the bazaar of the negotiations, they are going to become volatile all over the world and not only in the Middle East. When a human being loses his dignity and land, it is over for him, and he is willing to do anything.

However, we are sure that the international community will never abandon us. It owes Palestinians a debt which must be paid. Hence, to maintain the peace in the Middle East and internationally, I would like to confirm an extremely important point: the Palestinian refugees reject compensation for their land because they consider this a purchase and a betrayal of their issue. This is a comprehensive answer to the question. As for Syria, we also insist on the two main points: the refugees' right of return and the absolute rejection of resettlements of any kind.

Ernie Ross MP:

Are you speaking about the right of the Palestinians to decide their destiny, and that they will never accept any substitute for their right to return?

Ali Mustafa:

Absolutely.

Neil Gerrard MP:

In your point of view, if the Palestinians – the Palestinian leadership – decided to confront the occupation, as happened in South Lebanon, what would be the reaction of the Syrian government to this, and what would be the reaction of the Syrian public?

Ali Mustafa:

First, I do not represent this issue. I do not give the government's point of view. I say, as a Palestinian refugee, if the rights are not given back, and if the right of return is not acknowledged, there will be a great possibility of following the choice of doing what happened in south Lebanon. As for the position of the government, I personally know that it supports the right of return. Therefore, we should strive to get this right ratified.

Nick St Aubyn MP:

You are saying that the Palestinian refugees reject resettlement, but do you think that Palestinian refugees have individual rights to decide on whatever is offered to them?

Ali Mustafa:

Firstly, the right of return is an individual right. Therefore, no Palestinian can deputise another Palestinian in accepting or relinquishing this right. That is why I said that the first principle in the peace process and concerning the refugees' problem is Israel's ratification of the right of return. The second step will be the meeting of the world's major powers, the host countries, Israel and the representatives of the refugees to find the mechanisms for implementing this right. For example, distributing forms to the refugees could be one way to do it: would you or would you not want to return? However, the basis is Israel's ratification of the refugees' right of return: whoever wants to return can return, whoever does not want to is free to do that. This is part of establishing the mechanisms of implementing Resolution 194.

Ernie Ross MP:

What would the reaction of the refugees be to a peace agreement between Syria and Israel?

Ali Mustafa:

Firstly, we in Syria believe that one of the bases of peace is to find a solution to the problem of the Palestinian refugees. My own point of view in this matter – and I do not represent any authority in this – is that it is impossible to achieve an agreement between Israel and Syria before establishing peace between Palestine and Israel. This is a personal opinion. If an agreement was reached between Syria and Israel without finding a solution to the problem of the refugees, I believe there would be no peace in the Middle East. A great number of refugees would never submit to the Palestinian Authority or Israel without finding a solution to the problem of the refugees.

Neil Gerrard MP:

If Israel were to acknowledge the right of the refugees to return, how would the refugees be able to represent themselves in the discussions or talks that took place?

Ali Mustafa:

First, there are certain groups that would represent the Palestinian refugees. They could represent them in the meeting but they could not decide on this matter on their behalf. A mechanism would have to be found to enable each refugee to express his opinion about the issue of whether or not he would return to Palestine, to Israel.

Nick St Aubyn MP:

How do you envisage the work of UNRWA continuing and developing?

Ali Mustafa:

Basically, the consultative committee in the United Nations decided that UNRWA would continue its work until a fair solution was found and fully implemented.

Hence UNRWA could not cease to exist if an agreement were to be reached because, according to our numerous experiences, we know that any agreement signed by Israel needs numerous further agreements to implement it.

Neil Gerrard MP:

Let us say that Israel implements the right of return and the meeting is held. What about the role of UNRWA?

Ali Mustafa:

Of course, UNRWA has a complete role, even after implementing the solution. However, the United Nations will take the decision concerning this matter. Either the UN would carry out the rebuilding of our villages or some other authorities would. This would be an international decision, which represented the countries of the world and the host countries and the refugees.

However, I personally believe that UNRWA is the most capable authority to implement the resolution of the international community. The reason is the long partnership between the Palestinian refugees and UNRWA. It has lasted for 52 years and has become a link which unites all Palestinians. They feel safe as long as this agency continues its work.

Ernie Ross MP:

You say that the refugees will not accept compensation for relinquishing their lands, but the idea of compensation is included in Resolution 194. What form do you think that compensation should take, and when should it be implemented?

Ali Mustafa:

Basically, the compensation that is included in Resolution 194 is not a compensation for land. A Palestinian who does not want to return to his land will be compensated for the damages and catastrophes that occurred to him but not for selling his land. This is a major point, i.e., Resolution 194 specified the right of return and compensation. Whoever does not want to return will be compensated, but also whoever does want to return will be compensated as well. Those who want to return will get compensation for all their suffering over 52 years. It is impossible to talk about compensation separately from the issues of return and Resolution 194.

Nick St Aubyn MP:

Are there regular meetings held in the 13 camps in Syria? And do the representatives of these camps discuss the right of return in these meetings?

Ali Mustafa:

First, these meetings are held on a daily basis. I am not exaggerating. Of course, not all the 13 camps together, but we meet every day with one camp; we review the problems of another camp. The representatives of the camps come to us, or we go to them. However, every month a meeting is held between the general director and the representatives of the camps in their camps, not here. In these meetings they listen to the people of the camp concerning what projects they need in their camp. Second, if any Palestinian faces a problem with any institution, the problem is raised in GAPAR, and GAPAR solves it in cooperation with the other institutions.

However, these problems hardly occur. This is because GAPAR closely follows the situations of the refugees according to the instructions of the government of the Syria. There are constant instructions from the state leadership to follow closely the refugees' affairs and to solve all the problems that might face them. In these meetings that are held with the representatives of the camps, all the Palestinian groups, no matter what their orientations might be, always confirm the right of return and the

rejection of resettlement. I do not exaggerate when I say that the only thing which all the Palestinians agree upon is the principle of the right of return to their homeland.

Lex Takkenberg (Deputy Director of UNRWA, Syria), 6th
September 2000

*Speaking in a private capacity based on research done as an international
lawyer on the status of Palestinian refugees under international law*

Lex Takkenberg:

I have been working for UNRWA for eleven years. On this area of the status of Palestinian refugees in international law, I am speaking in a private capacity. My research on the legal status of the Palestinian refugees has been done throughout the years I worked with UNRWA, entirely in a private capacity. Indeed, it has never been linked with my work in UNRWA. Although I have a background as an international lawyer, all of my career in UNRWA has been in management positions, mainly related to the Relief and Social Services Programme and during the last three and a half years as Deputy Director in Gaza and now also in Syria.

When I joined UNRWA, having worked previously with refugees in Holland and Europe, I was fascinated by the fact that the Palestinian refugees are the only group of displaced persons, that have been kept outside the general international refugee regime. Palestinians really are the only group for which that has been the case, in the refugee history since the Second World War. Even before joining UNRWA, I was fascinated as to why the Palestinians were treated differently from a legal perspective, and with what effect? A couple of years after I joined UNRWA this prompted me to initiate this research. I wrote a few articles and then realised that this was probably a good subject to expand into a PhD. That's how the book was written.

As to the specific relevance of the book for the areas you're looking into, I think there are two chapters of particular relevance. There is a chapter on Human Rights Law, which discusses a number of issues of principles of human rights that are directly relevant for the search for a durable solution to the Palestinian refugee issue. The right of return and compensation, the principle of self-determination, issues of family reunification and unity of the family, are examples of some specific human rights issues that are of paramount importance. In addition the ninth chapter, which deals with the search for a durable solution in particular and where I look at a number of issues, that, in my view, must be tackled in the negotiations, in order to be able to provide the elements on which a durable solution may be built.

I will try to summarize the relevance of international law for the Palestine refugees, or the Palestinian refugees, as I refer to them in the book. UNRWA has been systematically referring to Palestine refugees because there was the original mandate to provide assistance and services to the refugees from Palestine irrespective of their national origin. But, when I considered my research, I saw my focus was really on the Palestinian refugees – of Palestinian origin.

There are two areas where international law is relevant for Palestinian refugees. The first is in the area of the search for a solution. International law contains principles like the right of return, the principle of self-determination, right to restitution and compensation, and issues such as the right to continued residency for people who have lived in a certain country for a long time. Issues like the prohibition of forced expulsion that are of immediate relevance to the search for a political settlement to the refugee issue, for a durable solution. You cannot say that international law provides the solution itself; some of its principles are conflicting. For example, self-determination of the Palestinians has to be off-set against the self-determination of other peoples living in the region, including Israelis. So international law in itself does not provide a solution; it provides a set of legal principles that should be taken into con-

sideration, and which are highly relevant for the search for a solution.

The second area where international law is relevant is in providing international protection to refugees. In this case to Palestinian refugees, pending the search for a solution. The whole idea of international refugee law is that refugees lack the effective protection of their national state, of their state of origin, and that international law substitutes this protection through a mechanism that is commonly referred to as international protection. This is the second area where international law is relevant, and it's especially in this area where the Palestinian refugees have a unique position, outside the general international protection regime.

The right of return is on the forefront of your enquiry. The implications of the right of return, the meaning of the right of return in international law, is not as straightforward as many people think. Under international law, there is indeed a well-established right to return. It's incorporated in the Universal Declaration of Human Rights; it's been incorporated in the International Covenant on Civil and Political Rights, as well as in a number of regional Human Rights Conventions. And this right, as it is formulated in international law, refers to the right of people, including refugees, to return to their own country, or to enter their own country, according to the wording in the International Covenant on Civil and Political Rights. So there is no doubt that Palestinian refugees, under general international law, have the right to return to their own country. The question what one's own country is? It's not by coincidence that the international instrument uses the term "own country", they deliberately do not use the term, "country of one's nationality", because it was considered to be wider, to be not just a legal concept, but also a sociological concept of what people define as their own country. In my personal view, the concept of "own country" in respect of Palestinian refugees – as long as there is no Palestinian state – cannot mean anything else than the former British Mandate territory. It also implies that the establishment of a Palestinian state, which from then on the Palestinians may consider to be their country, may have an impact on the exercise of the right to return under general international law.

In Resolution 194, as you're aware, which again is central to your enquiry, the reference is to return to the refugees' original homes. That is something that is generally not referred to under international law. General international law only speaks about return to one's own country. Only in the Palestinian case is explicit reference made to people's own home. The only other place is in the Dayton Peace Agreement. There specific reference is made to return to one's own home. This creates a problem. Resolution 194, although it has been repeated and reconfirmed by the General Assembly dozens of times if not more, itself remains a resolution of the General Assembly, which under international law is not in itself binding. Resolutions of the General Assembly can contribute – especially if they are then reconfirmed numerous times by the Assembly – towards the formation, and the establishment of customary international law. But in that situation, it is relevant that Israel has always persistently objected to the implementation of Resolution 194, and under international law, if there is a persistent objector, customary law does not bind a country that objects to it. So from a legal perspective – I'm purely speaking as a lawyer, not from the political or the moral perspective – there is a legal issue in relation to the question where the refugees would actually have the right of return to. There's no doubt about return to people's own country but from a legal perspective some questions remain in respect of the right to return to their own home. I think it's important if you're aware of that issue. It's elaborated on in much more detail in the chapter of my book that I refer to, the seventh chapter.

Other issues that, are relevant to the search for a solution, include right to self-determination, which unlike the right of return, is a collective right. The right of self-determination is the right of peoples, and it is normally interpreted to mean their right to design their own form of government. The right of self-determination may imply demand for a separate state, but a people may also decide to go for autonomy within a larger entity, within a larger state. Right to restitution and compensation is well-established under general international law and is undoubtedly applicable without much reservation to the case of the Palestinian refugees. A lot of thinking and a lot of preparation to give effect to restitution and compensation is still to take place, because of the overwhelming attention that has been given to the principle of return. Palestinians, for a long time have not given proper consideration to the issues of compensation and restitution. Only over the last twenty-four months or so has there been the beginning of a change, that is very much to be encouraged. And the two issues don't exclude each other. Return, restitution and compensation are issues that are complementary to each other. They don't contradict each other.

Another principle of international law which, in my view is of considerable importance in respect to Palestinian refugees is the right to continued residency. Even if there were to be a settlement tomorrow, whereby in principle everybody can go back to wherever, international law also stipulates that foreigners that have lived for a very long period in a certain State, because of the long duration of that residency, have an acquired right of residence, of continued residence. This is an issue that I've given quite a bit of emphasis to in the book. Not all the focus should be on the right of return, but also on the right of people not to return; again, free choice is essential if any kind of settlement is ultimately going to work. Related to this are developing international norms related to prohibitions of forced expulsions, ethnic cleansing, prevention of new massive refugee movements etc. These are evolving international principles. The principle of the prohibition of mass expulsion in the context of a peace settlement is quite well established now in international law. So these issues together provide, you could say, the cornerstones on which a settlement should be founded.

Briefly, if we come to issues of the protection of refugees, pending a search for a solution, because the general international refugee regime is not applicable, what we see is a patchwork of different rules and areas of international rule that are applicable. It very much depends on where the refugees actually find themselves. The 1951 Refugee Convention is explicitly not applicable to Palestinians residing within UNRWA's area of operation, but the way this exclusion, or rather, suspension is formulated also indicates that Palestinian refugees outside UNRWA's area of operation – particularly those who are unable to return to the area of operation – would come back under the workings of the '51 Convention. There's a lot of confusion about it, and it's not consistently applied by states. But it provides some protection in countries that do indeed take these rules into consideration.

The vast majority of the Palestinian refugees continue to be stateless until the present day. The refugees lost their mandate citizenship at the time of their flight and the establishment of the State of Israel. The exception is were those who took refuge in Jordan, got Jordanian citizenship. The others continue to be stateless, and should therefore be able to benefit from several international agreements related to statelessness: the 1954 Convention on the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness. These Conventions are mainly relevant to Palestinian refugees residing in European countries or in other countries where the countries are party to the Convention. And again application of these instruments to Palestinian refugees has not been very consistent. In the Middle East,

Arab host countries were confronted with the presence of a large number of Palestinian refugees, in the aftermath of the 1948 exodus. Although all the host governments, as was previously mentioned, held the position that the refugees should be allowed to return, at the same time, they had to come to terms with the actual presence of the refugees. They dealt with practicalities like the need for travel documents, the need to provide some mobility within the Arab world. The Arab League has been quite active – from as early as 1949-50 onwards – to try to provide practical solutions for these kind of issues. There have been a large number of resolutions that have contributed a great deal towards promoting the mobility of the Palestinian refugees in the Arab world. For example the special Arab League travel document for Palestine refugees is based on a resolution of the Arab League Council. In 1965 the Council of the Arab League went as far as to adopt a binding protocol on the treatment of Palestinians in the Arab countries, ratified by the member states of the Arab League. It's a very brief document, a translation is appended to my book. But it still provides an important legal framework to regulate the presence of the Palestinian refugees in the host countries and elsewhere. With travel documents, as you're aware, tens of thousands were able to travel for labour, work reasons, to Gulf countries and elsewhere in the region. The system, by and large, worked reasonably well when Palestinian labour was needed. Although one can argue, that these resolutions and the protocol provided a basic legal framework, the actual treatment of Palestinians in various Arab countries depended over time very much on the political relations between the PLO and the government concerned.

Finally, an area that has been of considerable importance for Palestinians in providing a measure of protection is the area of humanitarian law. This has been relevant for Palestinians in Gaza and the West Bank – the Occupied Territories after 1967 – but also in other areas that have been confronted by armed conflict. This body of humanitarian law is not specifically targeted at refugees but provides protection for the civilian population, including refugees present in the territories that are subject to armed conflict. There have been problems with the application of the Fourth Geneva Convention in relation to Israel and to Gaza and the West Bank that go beyond this short presentation.

Ernie Ross MP:

On behalf of my colleagues, thank you very much. I want to ask one specific question. I want to ask you as an international lawyer about an issue that has been raised with us. It was suggested to us that if the British Government and the British people, were to publicly apologise for their responsibility for the plight of the Palestinian people, that somehow this should make a difference to the situation facing the Palestinians. If the British Government were to say "We're very sorry to the Palestinian people because we committed some crime against them, breached some international law in 1948 by allowing what took place to take place." Would that have any relevance in international law?

Lex Takkenberg:

The issue of responsibility for the refugee issue – who caused the refugee issue – is very central, I think. I raise it as one of the issues that one way or the other should in my view have to come up during the negotiations for various reasons. From a legal perspective – because the issue of responsibility is a precondition for other legal issues such as the right of return and the extent to which compensation and restitution are due etc. Because they derive – especially the issue of compensation and restitution –

from an international wrong that was done to the Palestinian refugees. So it is indeed an issue that is relevant. And what Palestinian commentators on the subject argue – for example Rashid Khalidi, who I quote in the book – is that because it is not likely that perfect justice will be done to the Palestinian refugees in terms of real larger scale returns to where people originally came from, it's all the more important that psychological justice is secured. So also from that perspective, the whole issue of responsibility is indeed a very relevant issue.

Ernie Ross MP:

You mentioned that the fact that Israel has regularly objected to the renewal of Resolution 194 is relevant and you say that this has an implication for the Resolution itself?

Lex Takkenberg:

It's still one of the most controversial points on the right of return issue. If you take the other example of Dayton – the right of return was embodied in an international agreement which was binding, there's no doubt about it. In respect of the Palestinian right of return, Resolution 194 is all there is. I mean people are arguing that Israel's admission to the UN was made conditional upon its acceptance of the resolution etc., etc. These things, yes indeed, they're given added value – it's been argued that this should outlaw the later objections – but the bottom line is that it is a General Assembly Resolution, a resolution which in itself is a recommendation of the international community to the membership of the United Nations; to the parties.

Neil Gerrard MP:

Can I ask two or three things and thank you for pointing us to some of the issues. Is there any difference in terms of international law between the 1948 people and those who became refugees later, in '67 There's obviously differences in terms of who recognises those refugees etc....but is there any difference in terms of international law, other than the fact that the '51 Convention may be applicable to some of the people who later became refugees?

Lex Takkenberg:

For the '51 Convention, that doesn't matter.

Neil Gerrard MP:

You mentioned the point that the '51 Convention wasn't applicable to people living within the UNRWA area of operation?

Lex Takkenberg:

It continues to be not applicable, because there is an exclusion in the... so-called Article 1d of the Convention.

Now the '67 refugees – those who became refugees in '67 – fall into two major categories: those who in '67 fled for a second time, who had already fled once in '48, and those who in '67 fled for the first time, mainly residents of the West Bank who went to the East Bank, to Jordan. The latter category, was not considered as international refugees by Jordan because they were considered to have only moved as internally displaced people i.e. within the boundaries of the State of Jordan. The '67 refugees have already a recognised right of return to Gaza and West Bank under the Oslo Accord, under the Declaration of Principles of '93, and later the Interim

Agreement. Israel has already agreed that the '67 displaced persons – most of those are refugees, as well as the others – are entitled to return to Gaza and West Bank. The actual implementation of this right – here you see the difference between recognising the right in principle and implementation – the actual implementation was made subject to discussion between the countries concerned: Israel, the Palestinian Authority, Jordan and Egypt. There have been several attempts to start seriously discussing the implementation, and these have so far have not led to any concrete results. Whereas the issue of the 1948 refugees who are not also '67 refugees, was explicitly deferred until the final status negotiations.

Neil Gerrard MP:

Is there any implication under international law for someone who, other than in terms of right of return, who is now a citizen of another country?

Lex Takkenberg:

Under the general right of return, the exercise of the right of return depends on whether one can argue that a certain country is his or hers and can still be seen as his or her country.

The right of return under the International Covenant of Civil and Political Rights has been invoked by advocates of Soviet Jewry, who are making their case to be able to emigrate to Israel. So explicitly this is seen as a concept that is not necessarily limited to nationality. Under refugee law – general refugee law – those refugees who obtain nationality of a third state, thereby lose their refugee status. And so from a general refugee law perspective, refugees, Palestinian refugees living in Jordan, are no longer to be seen as refugees, from a protection perspective. And that's also fair, because they're citizens of Jordan, and Jordan is effectively protecting them; providing them with travel documents etc. For the international community, at the time in the early 1950's when Jordan granted citizenship for the purpose of assistance, it was felt that it was still very appropriate for UNRWA to continue treating the refugees as refugees. It was afraid that if it were to act otherwise it might have a de-stabilizing effect vis-à-vis the Jordanian Government.

Neil Gerrard MP:

I picked up possible implications from what you were saying that the establishment of a Palestinian State could potentially have some impact on the question of right of return. Is that related to issues about the definition of what is one's own country? That's not just geographical area; country means something rather different from geographical area.

Lex Takkenberg:

One way to put it is that once there is a Palestinian State, with more or less fixed borders, that becomes the Palestinians' country. I mean, you can also hold the opposite view that that represents just a small – although it's now labelled the State of Palestine – is only representing a small part of the original country.

Ernie Ross MP:

We have taken lots of evidence from Palestinians who want to return and live in the area of Palestine that is now called Israel and will continue to be called Israel at the end of this. They said they wanted to exercise their right of return even if it meant going back and living under an Israeli Government. Can they define that as their

country, when they want to exercise their right of return?

Lex Takkenberg:

The exact interpretation of the term "one's country" is deliberately left vague, left open. Even if you look at the preparatory work of the International Covenant of Civil and Political Rights, the only thing that's made clear there is that it means more than the country of nationality, and that it's very much a sociological notion and will become a political notion under the whole discussion of what would be an acceptable and just solution of the Palestinian refugee issue.

Neil Gerrard MP:

So there's no clear, simple, legal definition of what that means?

Lex Takkenberg:

No, there isn't.

Ernie Ross MP:

Thank you very much.

Dr Elias Samo (Head of International Relations at the
University of Aleppo), 5th September 2000

Dr Elias Samo:

My name is Elias Samo. I am the director of international programmes at the University of Aleppo. I am also Professor of International Relations. I taught in the United States for many years, in Michigan, and I taught at the University of Aleppo for many years in International Relations. Now I'm running the international programmes at the University of Aleppo.

Resolution 194 makes it clear. The right of return, plus compensation, plus admission of guilt – ethical admission of guilt – of the pain that has been caused the Palestinians. 194 is the mechanism. The sacred thing for me is the right of return. Not that I will return. And most Palestinians who are living in the West, in the United States and Western Europe, are not going to return. Palestinians in Syria, Lebanon and Jordan are not going to return. To have the right to return is sacred. And it is all in 194, so that is our number one mechanism.

The second thing is compensation. For me, individually, for my house, my cattle, my car. And then collectively for the state, you know. For the railroads and for the airports and for the buildings, structures and the whole state that was taken over by the Jewish community. That is also compensatory. Plus compensation for the host countries: Syria, Jordan, Lebanon. And thirdly, admission of guilt: "Yes, we did something wrong, something awful to the Palestinians."

However, I was baffled by one omission in your statement. You say the international community is a responsible party; the Israelis are a responsible party; the Arabs are partly responsible for the plight of the Palestinians. But for some reason, the central [theme] is missing, and that is British guilt. I hope you don't mind me speaking with you openly! Because I think the tragedy started with the Balfour Declaration. There was no international community to speak of at the turn of the century in the [contemporary] sense of public opinion, the international media that generates public opinion and brings pressure on individual governments to act in certain ways. Great Britain legitimised the Jewish claim to Palestine. I think that was the beginning. They were denying the existence of a whole people. They recognised indigenous people who were living there – their civil and religious rights – but nothing about their political rights, nothing about them being Palestinians. The Balfour Declaration literally repeats the [mantra] "land without a people for people without a land" [propagated by] some Jews in the 19th century. The Balfour Declaration [was outrageous] in that it legitimised one side [the Jews] and delegitimised the genuine claims of the Palestinian people.

The Pope last year admitted the guilt of the Catholic Church for the Crusaders, who came over here 900 years ago. I think Britain should also [admit its guilt] by having Balfour Declaration number two. It is not going to carry the same weight that it carried in 1917 because Great Britain today does not have the weight it had 70-80 years ago! But, it is still your moral responsibility, I think. And that is your starting point. I might have put it as [point] number four, but I think it should be number one. I think Great Britain has some moral responsibility to have another Balfour Declaration, to tell the Israelis, "Look, we did something for you 70 years ago. But our understanding was that it was not going to lead what it led to. And that you have gone wrong", and so on. Since you don't have the power to impose anything on the Israelis, at least you can bring attention to the problem. You guys are very upset about what has happened to the Palestinian refugees. But what has happened to them is

because of what your ancestors did 83 years ago. And so, your mechanism basically is this moral responsibility and moral weight that you might have by at least taking a public stand on the Balfour Declaration.

Neil Gerrard MP:

I understand exactly the point you're making in terms of a mechanism by which we might seek to gain some attention [for] what we're saying. And what you said about 194: the principles are there. That it is right of return; it is compensation. Not one or the other; it's both. When Ernie talked about mechanisms earlier, he meant that if Israel was persuaded to accept those principles, we then run into questions of how do the Palestinian refugees themselves put those rights into practice? What sort of mechanism ought there to be for that, for them to say "Well, under 194, which gives these various options, this is the one that I and my family would like to exercise"? How does that sort of mechanism start to be developed?

Dr Elias Samo:

We are sitting here dealing with the Palestinian refugee problem, along with many other meetings throughout the world. But isn't it possible that we might be completely pre-empted practically overnight if Yaser Arafat and Barak were to meet again in a week or two, reach an agreement and settle the Palestinian refugee problem [along the lines of] "50,000 go back or 100,000, over a ten-year period". Where would you go from there?

Nick St Aubyn MP:

And on the issue of compensation, presumably [by the same token] you cannot settle the issue on their behalf, although you might have your own claim for compensation.

Dr Elias Samo:

We have our own claim, sure. The cost of hosting them for the last 50 years. We have about three or four hundred thousands of them here. We support their claims. The problem is the conflict between [theory and practice] when you deal with the Palestinian refugee problem. Ideally, they have the right to return. If three or four million of them wanted to return, they have [in theory] the right to return. But of course reason tells me that they cannot go back. If I were in the Israeli government, I would not let three million Palestinians come over to Israel. It is impossible, and the Palestinians will tell you that. We have to find a compromise about numbers, but at what price? That is something we cannot answer. The Palestinians must [solve] it themselves, reach a figure that they can accept. The minimum figure is not for us to decide. But certainly we in Syria insist that there can be no end to this conflict, no matter what the Israelis give the Palestinians, without it including the Golan. The Palestinians have to be realistic. As Arabs, we insist on the right of return. But in terms of practical considerations, right of return, I think, is the negation of Israel. There are other human considerations of Israeli Jews in Israel. You can't negate their presence there. And total right of return is total negation of their presence, of Jews in Palestine. We cannot have four million Palestinians coming into Israel.

Nick St Aubyn MP:

But is there not a worry out there that the possibility of there being a key at some time in the future could be closed by requiring refugees to give up their right of return? Is

there any danger that the Syrian Government, for example, might become involved in a package of agreements as part of the retreat, withdrawal of Israel from the Golan Heights, whereby a condition of refugees having a future here is that they give up their right of return? Do you think that the Syrian Government, as an example, would be prepared to acknowledge that the right of return is not something they should require anyone to give up as a condition of accepting anything that they might regard as merely an interim settlement?

Dr Elias Samo:

In Syria, the Palestinians are here, they are all brothers and sisters. They have been here for 50 years. They can stay here for 500 years. They have the right to return. We support their right of return. It's not for us to attain that right. It's not for us to impose on the Israelis the right of return. The Palestinians have their leadership and we have accepted that leadership and that it speaks for the Palestinians. When Oslo was signed in 1993, we said "Look, we don't like it, but we're not going to oppose it... But if that's what you guys want to do, good luck, it's not our business any more." That's our line now. If there's a successful Camp David II, then a successful Camp David III, and the Palestinian leadership surrenders the right of return, we'll tell them we don't like it. But we're not going to anything about it. We can't. The Palestinians over here want to maintain their position with regard to their right of return. We say to them: "We're with you, but you can stay here as long as you want."

Nick St Aubyn MP:

So just to be clear: if the [Palestinian] leadership were to concede this principle, but the Palestinian refugees based in Syria were to reject that concession, you believe the Syrian Government would support the refugees?

Dr Elias Samo:

Yes, of course. But going back to the refugees: that's the central question. I think the case is very clear and simple. There has been great transformation in the Arab-Israeli conflict. On the Arab side, the Arabs have surrendered a number of things in the last 50 years. The first point is the religious [issue]. That is, there was a Christian/Moslem antagonism towards Jews. It goes back to the Bible. We Christians feel they crucified our Christ, and although the Pope said they are forgiven, they [nevertheless] crucified our Christ. So there's animosity. From the Koran, there is animosity towards Jews. I really think in the last 10-15 years, we have come a long way in accepting the notion of a Jewish state in the region.

And the third one, which I think is a more important change, is the geographic syndrome. That Israel, extending from the Mediterranean to the Red Sea, if you look at the map, divides the Arab world into two halves forever. I can never [again] get in the car in Damascus or in Amman, and drive to Cairo or to Marrakech or to Algiers without going through foreign territory. And we have accepted that. And that's a major stride for us psychologically, in accepting Israel. So we have gone through three major transformations. And I've told Israelis over the last ten years: "You are derelict in not recognising and appreciating these three major changes". But I think the Israelis have also made some changes. Ben Gurion and Golda Meir claimed there was no such thing as a Palestinian people. But the fact that the Israelis have entered into negotiations with the Palestinians is a recognition of the existence of the Palestinian people. So that's a major change. The other change is the fact that the negotiations are also a rejection of old Israeli thinking that Arabs understand only the

language of force. But I think they have changed. To their credit, when they sit and negotiate with us, they assume that we understand the language of negotiation, the language of conflict resolution, of peace-making.

So there have been major changes – on both sides. And maybe neither side has appreciated these changes. To me, that's a good omen for solving a conflict that I used to believe could have no end. I never thought we'd reach a point where Egypt would have Camp David, the Lebanese will have total withdrawal, the Syrians are on the verge, and the Palestinians are in the [process of] making peace with Israel. That was not expected 15, 20, 30 years ago. So there have been major strides.

But I agree with you that it's a question of the Palestinian refugees, the human element of a whole people denied everything – their inhuman treatment in 1947-48; the outrageous situation; the loss of everything. And it's not recognised. They talk about Jerusalem. But Jerusalem to me is structured buildings and streets. To me it's not such a big deal. Religiously speaking it doesn't matter; nationally speaking, I'm not so much concerned with Jerusalem as I'm concerned with the millions of Palestinians who have really suffered.

Ernie Ross MP:

Just one last question: during the whole peace negotiations and period of conflict, one of the areas in which Syria's been absolutely clear with regard to peace between itself and Israel, is the need to ensure that the Syrian street accept it. How do you think the Syrian street would react if there were an agreement that did not give the Palestinian refugees the right of return?

Dr Elias Samo:

If the Palestinian leaders accepted it, we would not fight it. We would tell the Palestinians here: "You're welcome to stay here. It's a lousy agreement, you're getting part of your rights for part of your people and part of your land. But it's not for us; that's your leadership. Fight your leadership, but we're not going to stop it, we're not going to create barriers to it. We're not going to stop our peace process."

Evidence Taken in Lebanon

Coordination Forum of NGOs working in the Palestinian
Community, Beirut, 7th September 2000

PARTICIPANTS:

Qasem Ayna — Alma, Safad
Faruq Ghandur — Acre
Haifa Jamal — Shafa Amr, Haifa
Ihsan Qasem — Taytaba, Safad
Sukayna Salama — al-Malikiya, Safad
Ahmad Diab
Mariam Hammad — Ras al-Ahmar, Safad
Rashid Khatib — Haifa
Ahmad Halama
Hussein Qasem — Taytaba, Safad
Dr Raja Muslih — Beit Sahur, Bethlehem

Qasem Ayna:

I am the coordinator of the forum, and on behalf of all the organisation, I would like to welcome you here and we are happy that you have come to hear our opinions.

I must start by saying that you colonised our country and you created the refugee problem. We are a result of that. What we wish as Palestinian refugees in Lebanon and I think everywhere, in every camp – all the Palestinians – there is one common theme. We have many differences, but we are united in the belief that we should have the right of return to our homes, to our villages and towns. And to get compensation for what we lost. And restitution for what was damaged and the suffering of 52 years. Who will compensate us for the psychological suffering and the terrible situation of the Palestinian refugees in the camps?

The right of return, but to where? Only to our homeland, only to our villages. Not to another place. Because, according to your Concept Paper, this seems to be your position. But according to my discussions with Palestinians everywhere, we are unified that our preference is our right to return to our homeland.

With all our respect to the delegation and with regard to Madrid, Oslo and Camp David, we don't agree with the outcomes. If we are looking for a real peace, we should think of justice and it being practically implemented. What is going on at the moment is not a real peace. They are just agreements signed by Arafat and the Israeli PM. In the region, I don't think there is real peace.

It is not only your responsibility, but it is the responsibility of the British Government before 1948 and also the UN. What is the UN doing for Israel? Are they pushing the Israelis to implement 194? Resolution 194 is not insignificant. Resolution 194 is the only way now. We should be making more effort to force Israel to accept this resolution. For 50 years the Israelis have refused and we continue to live in these terrible conditions.

So one thing that I can ask you in a friendly way; one thing that the British parliamentarians can do for us: they can start to put some pressure on Israel. They can say they are sorry for what Balfour did in 1917. We need that. We need that! We need your voice. We need the voices of people who believe in democracy, freedom and justice. Why are the Israelis there? Because of the Holocaust? They got the Germans and the Belgians and the Swiss to pay. And yet we still hear nothing – just talks and more talks. We need practical things for our people. Here in Lebanon our situation is the worst. All our friends who have been to the West Bank and Gaza say so. It is men-

tioned in the UNRWA files.

We hope that you can do something for the refugees, to support their fair arguments. Why don't you put some pressure on Israel to stop the immigration? They have brought a million Jews from Russia, while they are not allowing our people to return to their homes. How many square kilometers are the Israelis using? Palestine is empty. They can accommodate us. Why do they not accept us and allow us to return to our homeland? We were born there and our fathers were the owners of Palestine. According to your own paper, they owned no more than 6% of the land. And now they are taking 80% of our country. We don't even have the right to visit our country.

There is a common fact. All generations and new generations and the coming generations are unified on the right of return. And we will continue that. We are not able to make our voices heard now, because that political situation is not available and we are weaker than them. But we will continue our struggle to return to our homeland. My colleagues will now express their opinions.

Faruq Ghandur:

I want to begin by saying that we don't represent political parties or political sides. We work with the Palestinian people in the camps on humanitarian targets and education and other things. I understand from your speech that you want to talk about the future and not about the past. Mr Ayna has spoken about international resolutions. I think you are well aware of these.

To be very brief and to give you the opinion of the majority of the Palestinians, whether they are here or in the homeland, or outside in all the continents all over the world, you know how widely the Palestinians are spread. Their demands are the right of restitution, of compensations, of apologies, for all the harm that the world and Israel have done them. For all this over five decades. That is all I have to say.

Dr Raja Muslih:

The Jewish people suffered in Europe a great deal. Europe apologised for what it did to the Jews. We look at your position – you are our friends and good supporters of our cause. We can forget that your Minister of Foreign Affairs made a promise to give Palestine to the Jews. A lot of Palestinians were killed by British bullets and British soldiers. We know that we are not in the year 1917, but in the year 2000. We are ready to cooperate and to be good friends and discuss our issue with you. This is why we are talking frankly about the Palestinian issue.

During our trips to EU countries we hear a lot of talk about democracy. We are now in 2000 and we still don't have the right to return to our homes. A lot of British people live in America and all over the world and have other nationalities – any time they want they can return to their country. Up until now I can't go back to my homeland.

We hope that through your solidarity with our people, that you will support us in our right to return to our homeland.

Haifa Jamal:

I am from the Najda Association. We work in the camps and we are members of the Coordination Forum. First of all I would like to welcome you and to appreciate your mission. I would like to emphasise some points that my colleague made. I don't want to go back over history and how the Palestinian problem happened. Rather, I would like to continue about the situation now and what we want.

What we ask for is very simple, but it needs justice from the international community and the decision-makers. We are only asking the international community to implement the UN resolutions that are relevant to the Palestinian question. If they implement all the UN resolutions, including 194, I think we will get our rights. As my colleagues said, at least we want this. We want what you describe in outline in your paper. We insist on our rights.

I would like to focus on what we ask from you. We really appreciate all the groups that come here, whether they are from parliaments or governments or from the public. All who remember that there are Palestinian refugees. Since Madrid and Oslo, and when our friends come here and when we travel to Europe and other countries, we feel that the international community has forgotten what happened in 1948. And that there are refugees who have rights according to UN declarations and according to human rights. They forget. I really appreciate that you are some of the ones who remember again. Really I appreciate that, but I think that it is not enough.

The international community established UNRWA to provide the Palestinians till this day with our main services. Now UNRWA is also starting to reduce the services. We suffer more and more. None of the donor countries give us any protection. They should give us at least this kind of support. Since Oslo, all the European countries, all the donor countries, have reduced their contributions and sometimes they don't make any contribution at all. We are afraid now that UNRWA may leave. UNRWA doesn't just mean the services that we need, but UNRWA is also related to our right of return.

We ask you in your position as Members of Parliament, to get your country and other EU countries to continue to support UNRWA, in order that it can continue its mandate.

I would also like to repeat what my colleague said. As refugees we focus on the right of return. Regarding compensation, we ask for compensation for our suffering and the damage to our villages. If we talk about the mechanism – I think the problem is not geography. So far 418 villages have been destroyed by the Israeli Government since 1948. Until now the land is empty.

From my point of view, this thing that is called the "peace process" – I don't feel that it is a peace process. Myself, I am eager to live in peace. We hope to live in peace. But real peace. Not what is happening now. When we follow and hear what they are discussing about our situation and our rights in the negotiations, we don't consider this to be a peace process.

Hussein Qasem:

I feel that this peace process has been forced on us. This peace has dealt with the Palestinians as if they were groups of people who were not united. Even in the West Bank there are many differences between the people; in Gaza there are many differences between the people. The starting point of the peace process is not on our side. It is not on the side of our people. You are carrying out your mission – but you are not even neutral. You are on the side of the Israelis. Why do you say that you are working to have a peace where all the parties should live in peace – especially Israel – why especially Israel? Why?

If you want to help us, tell your government to be neutral – this is a very important point. You are asking too many questions about what refugees want and how we see the resolution of the refugee problem. There is only one question. Do we have the right of return or not? Other things are not important. To compensate or not compensate is not important. You cannot compensate – you haven't the ability. All of

your money cannot compensate for our suffering. It is not a matter of compensation; it is a matter of dignity. You say that this compensation is equivalent to... whatever. But it is not a matter of money. Our problem does not need experts. You are saying, "human rights", "democracy", and the US and Britain are bombing Iraq in the name of democracy and freedom! We do not need experts; we need a real decision on the side of what is right.

We need to return to our homeland.

Sukayna Salama:

I welcome you. It is a good step from you to come and visit us.

Palestinian refugees are different from other refugees and displaced people from other countries. We didn't choose to be refugees.

I work with a vocational training organisation. I know a lot about what the Palestinian people are suffering over our human rights, our right to work, in Lebanon, in the diaspora. Obstacles to this right have had a very negative impact on our people.

Ahmad Diab:

We are very happy to meet you, to share with you our needs and desires, to let you know what we are suffering as Palestinians and as individuals. We are not permitted to work or to live as other citizens. This leads our sons and people to emigrate. If you ask any one from any generation, they will say we want to go back to our homeland and we will not accept any other place other than our country and villages and homeland.

Loudly, we say, "restitution, restitution, restitution".

Mariam Hammad:

I am asked by my children all the time if the US or the British people are with us or against us. It is difficult to answer them, but I say that people in different countries make their governments and their governments are not with us.

Publicity links us all over the world with false images. They think the Palestinians are terrorists, as if we like killing. While they show the Israelis as if they were discriminated against.

The right of restitution and return, we are with it and we refuse any compensation for any part of any sand from our villages and country.

The compensation should be for the discrimination that we suffered during the first years of our exile. We used to sit in front of the UNRWA offices to try and get some cheese. The places were very dirty and very small. Compensation is asked mostly for this period and the discrimination that we have suffered.

We as kindergarten teachers are putting the demands of our children and all our history and all the responsibility on the Europeans and the British and all the other countries who caused us to come to this situation. Even our children are aware of this situation.

The people who went abroad and were accepted in other countries, the US or Australia or other countries, they are not happy to be living away from their country.

I am against the agreements and the peace process. Suppose this was going to take place and we were going to accept an agreement. All Europe and most other countries support Israel's claim that Jerusalem is their eternal capital. Building settlements has increased much more since the peace process.

You are talking about the refugee problem because you are afraid that Palestinian

refugees might be a cause of trouble.

Even if the process takes place and a Palestinian Government is created, you won't admit it and you will support Israel more than you support the Palestinian people.

They are talking about accepting some refugees in some parts of the country, in a Palestinian state, but they will still be refugees.

The peace process has established new borders within the Palestinian areas much more than there were before. Before the peace process, people used to move much more easily than they are able to now.

We hope that you will convey our points of view loudly and fairly. Thank you.

Rashid Khatib:

Just one point, on a practical issue: 20% of Palestine is inhabited, while 80% is still empty.

Faruq Ghandur:

Our one big demand is to be considered as human beings, not as second or third or fourth-class citizens.

Ihsan Qasem:

The British Government has all the legal documentation of the ownership of the land. Why do they not permit people to see these records? This is a question for you.

Ahmad Halama:

I am also a teacher. I hear from my children how Palestine is in their hearts and they ask many questions about their villages. It is something that Palestine has created in the children. They ask from the first day they can speak about Palestine. I think generation after generation, our children will ask about the right to return to our homeland and our villages. If you saw a film about children from Shatila – I think it was for Channel 4 – in it they ask: "Is this right of return embedded in the blood?" No, it is something that comes from our grandparents.

Menzies Campell MP:

We are here because of a political judgement that the human rights of the Palestinian people can best be served by political pressure in our Parliament and in the Parliaments of the European Union and in Congress and at the UN.

I have a great deal of sympathy for the point of view that what is needed is not more experts, but more solutions.

There will be some of the generation of Palestinian people who have come to Britain – I know some of them. There will be some who have gone to the US and Australia. In your assessment, how strong is the belief that the right of return should be extended not just to those who live in the region, but also to those who have sought economic and social advancement by going elsewhere?

Faruq Ghandur:

You go to the Internet and look for sites of those people all around the world. You will get a very good idea about their opinions concerning the right of return. Even though their financial situation is much better than it would have been in Palestine. This is the best witness.

We do not know the background of British political parties, but we do know that

there are people in Britain who are aware of the discrimination against the Palestinian people. Everyone who follows the newspapers knows that even in the early 1950s, when there was no help for the Palestinian people, there were people abroad defending our cause. However, they were the minority and their voice was not loud. So when we talk about the UK we are talking about the country as a whole, and what happened politically.

Nick St Aubyn MP:

In our travels around Palestine, Jordan, Syria and then here, there are more representatives of women in this meeting than most of the meetings we have been to! Bearing in mind that we will be producing exactly what you have said in the report, is there anything you would like to say about the practical benefits you and your families will gain from exercising your right of return? Particularly with regard to the children. How will their lives be improved if they are able to return to their homeland?

Hussein Qasem:

These questions are not right. First you have to give the right to return; then you ask what you do and don't want.

Nick St Aubyn MP:

Sorry, you misunderstand. I am not questioning the right, but I am saying that to help your case, is there anything that you want to say about such benefits... it would be helpful.

Hussein Qasem:

Many people live where they wish. They have status and they have nationality. Maybe I want to go and work in England, if I can. It is not a problem of how to live. I can manage myself, for my family, as a person. But this is a national problem; this is the real question. Which is why I said that you asked the wrong question.

Neil Gerrard MP:

The gentleman here said something about the particular problems of refugees in Lebanon. We have been to the West Bank, to Gaza, to Jordan, to Syria. What is the difference between the refugees in Lebanon and the other places we have visited?

Faruq Ghandur:

There are something like 70-80 jobs that Palestinians are not permitted to do in Lebanon – especially for well educated people. When a doctor graduates here, he is not permitted to have a job or open a clinic. It is the same with an engineer, a computer expert. They will not give him a work permit. This is the difference. While in Syria and Jordan they have the right even to become ministers.

Neil Gerrard MP:

Has that meant that more people have left Lebanon?

Faruq Ghandur:

Yes, and it is the educated people.

Dr Raja Muslih:

Many wars took place in Europe. Many people were removed from their homes and

countries. Was there ever a question about their right to go back to their homes? No. No question was raised concerning their right to return. Why is this question only addressed to the Palestinian people? All the delegations who come here and look at the refugees; they only ask about the refugees in Lebanon. They don't ask about the refugees in Jordan and Syria and other countries.

Questions are always asked about the Palestinian refugees in Lebanon, because it is an internal problem here. I know that you have been to Jordan, West Bank and Syria.

Ernie Ross MP:

Thank you.

The Coordination Forum of NGOs Working among the Palestinian Community in Lebanon

Submitted in written form

The basis of the Palestinian refugee question is national-political before being humanitarian. The Palestinian refugees in all the countries of the diaspora insist on their unity as a nation. They also insist on the right of return to their country, and the right of self-determination based on Resolution 194, which was passed by the United Nations on 11th December, 1948, and is reinforced by the Bill of Human Rights also decreed by the United Nations on 10th December, 1948.

These rights are upheld by the Palestinian refugees in all the host countries, even where they benefit from all the civil rights that the nationals enjoy, such as Jordan where they are granted complete civil rights, including the Jordanian citizenship and passport. In Syria, the refugees enjoy civil rights while maintaining their Palestinian identity, in accordance with the Casablanca Protocol signed and issued by the first Arab Summit in September 1965. The protocol called on the host countries to treat Palestinians the way they treat their own citizens, while allowing them to preserve their national identity.

However, in Lebanon the Palestinian refugees live under harsh social and economic conditions, for they are deprived of the most basic civil and human rights.

The number of Palestinians in Palestine after the First World War was about 700,000 people, while that of the Jews was about 56,000 people. This means that the percentage of Jews was about 8% of the total population. The property which was owned by Jews was about 2.5% of the total area of Palestine. This percentage became about 6% in 1947 in spite of the British occupation of Palestine.

The actual number of Palestinians who became refugees in 1948 is highly disputed.

Estimates range from a low figure of 520,000 given by Israel in 1948, to Arab sources that place the number of Palestinian refugees between 900,000 and 1,000,000. The United Nations and the British Government place the number of Palestinian refugees between these two extremes at 726,000 and 810,000 respectively. Estimates on the number of Palestinians who fled to Lebanon range from 100,000 to 120,000.

More than 50 years later, in June 2000, the United Nations Relief and Works Agency, (UNRWA) registered a total of 3,737,494 Palestinian refugees, the oldest refugee population in the world. Jordan hosts the largest number of Palestinian refugees (1,570,192) followed by the Gaza Strip (824,622), the West Bank (583,009), Syria (383,199) and Lebanon (376,472).

Almost half a century has passed since the adoption of Resolution 194. Nevertheless, the issues of the 1948 refugees and the 1967 displaced remain unresolved.

This submission is an attempt to contribute to a comprehensive resolution of the issue of refugees for the rights of return and affirm that Palestinians maintain their individual and legitimate right to absolute restitution of all their property and their right to return to their homeland.

So, as members of the Forum of NGOs Working Among the Palestinian

Community in Lebanon, we are presenting several aspects of the issue of the right of return.

* A solution to the Arab-Israel conflict in general, and to the Palestinian refugee issue in particular, should be based on a strategic vision bearing in mind the interest of future generations in the region. A solution should not be imposed on the basis of the present military balance, which obviously favours Israel.

* Palestinian refugees ask the British government, the Israelis, as well as the international community, to acknowledge their responsibility for the creation of the refugee problem.

* A just and comprehensive solution not only should be endorsed by governments in the region, but also should be accepted and respected by the peoples of the region.

* A legal framework should govern the issue of Palestinian refugees. It is particularly important to mention Resolution 194, resolving that the 1948 refugees should be permitted to return to their homes, and SCR 237, calling upon Israel to facilitate the return of the 1967 displaced. These two resolutions form the legal foundation for a just and lasting solution to the problem.

* The right of return means the return of Palestinian refugees to their villages and cities that they were expelled from.

* The implementation of return is still possible because new Jewish settlements have been built on about 20% only of original Palestinian villages, while 80% is still totally destroyed and empty.

* A reliable statistical database on the 1948 refugees and the 1967 displaced is badly needed to provide basic figures on which to base decisions in the ongoing peace negotiations.

Finally within this comprehensive framework, the issue of the right of return will be justly resolved and the normalisation of relations between Arab countries and Israel will be for real. Nevertheless, this normalisation of relations must go hand in hand with the achievement of concrete steps on the long road toward the implementation of a just and comprehensive peace.

The Coordination Forum of NGOs Working among the Palestinian Community in Lebanon

Fact Sheet

The Coordination Forum of NGOs Working among the Palestinian Community in Lebanon was established in June 1994. It is a voluntary assembly of non-governmental organisations working in humanitarian, social, educational, and health fields. It serves the various social sects of the Palestinian Community that are distributed among the different camps and gatherings in Lebanon.

Objectives:

1. *To coordinate the various activities and services of member through specialised committees as seen fit.*
2. *To develop the programmes and services of the members through fostering cooperation and interaction with other organisations.*
3. *To organise common training programmes for human resources based on the needs of the vocational organisations.*
4. *To organise group, national and educational activities.*
5. *To formulate common plans that answer the needs of the Palestinian gatherings in Lebanon.*

PARTICIPANTS:

Dr Saleh Dabbagh — Jaffa

Dr Mahmud Hamud — Shaykh Daud, Acre

Jaber Sulayman — Tal al-Turmus, Gaza

Dr Ali Zaydan — Safsaf, Safad

This meeting is summarised due to technical failure.

Dr Dabbagh began by saying that, as Palestinian refugees, they feel that the international community has not addressed their issue, whereas other issues have been adequately addressed.

Dr Dabbagh noted that the international community, from a legal point of view, is still a rudimentary and primitive community – in the sense that there is no central international authority entrusted with the application and enforcement of international law and, hence, sanctions against those who violate the law.

The rights of the Palestinians for self-determination and of the refugees for repatriation and compensation have been recognised by the international community and by principles of customary international law. However, they have not been enforced. Consequently, the Palestinians are left with no choice but to take the law into their own hands. That means either taking up arms or adopting other negative actions.

There are two basic issues. The first is the collective issue of self-determination and the second is the right of repatriation; neither is being adequately addressed in the current negotiations. Palestinians in the Occupied Territories have no options with regard to the right of self-determination – only whether or not to accept the Oslo Accords. It is quite clear, given the balance of power, that the Oslo Accords were negotiated under duress.

With regard to the right of repatriation, the Palestinian Authority is not negotiating on behalf of the Palestinians in the diaspora and the issue of the Palestinian diaspora is not being addressed by Oslo. There cannot be peace if more than 3.5 million Palestinian refugees are not repatriated.

He himself was born and raised in Palestine up to the age of 10 years.

Jaber Sulayman explained that he was co-founder of the Aydun group. He said that it was a community group, unaffiliated to political factions. They are activists and intellectuals and grassroots organisations in the camps. They coordinate with cultural groups and other NGOs. Aydun is mandated to promote the right of return. In the framework of this mandate, they are interested in awareness-raising and also in coordination with other groups in Lebanon, with the aim of empowering the refugees. In addition, they network with Palestinians in the diaspora.

It is impossible to exercise the right of self-determination without the return of refugees to their homeland. Regarding preferred options, they would choose repatriation, the restitution of properties and compensation (an integral part of the right of return) for their physical losses and their psychological suffering. Aydun considers itself to be an integral part of the unified Palestinian position, articulated since the 1950s, concerning refusal of any schemes (resettlement, integration or absorption within host countries) other than return to their homes. Israel must acknowledge the right of return; consideration can then be made as to how to implement it. It is not a

favour bestowed by Israel, but an international right. If the right of return means return to Israel, that is acceptable if it is as a collective return. Many tried to return in the 1950s and 1960s and some were killed in the process. (Reference was made to the book by Benny Morris, Israel's Border Wars, 1949-1956). The focus must be on the return of refugees to their homes, i.e. in Israel proper.

The sentiment of longing for home is deeply rooted in the very being of the Palestinian people. They cannot exorcise the Nakba (Catastrophe) except by exercising the right of return.

Dr Mahmud Hamud was born and raised in a Palestinian refugee camp in Lebanon. Although he succeeded in becoming a university lecturer, it was not easy for him as a Palestinian. He said that the refugees face severe problems in their daily life from making a living to traveling and building a future for themselves and their families. Accordingly, the Palestinian refugees cannot be compensated with all the money in the world for all their suffering. The only remedy to their situation is to go back to their homeland. This needs to be done along with an acknowledgment of responsibility by those who caused the plight of the Palestinian refugee problem. Namely, the Zionist State of Israel on one hand and those who helped create and maintain the plight of the refugees. Namely, Britain and the US.

In this regard, the Palestinians hold Britain particularly responsible, as the major power that conspired against the Palestinians and caused their expulsion from their homeland, first by means of the Balfour Declaration and then through its role as Mandatory power in Palestine. Although the British Mandate in Palestine was rejected by the Palestinians, it was nevertheless imposed on them against their will. The British were supposed to maintain the status and the composition of Palestine according to the terms of the Mandate. Instead, they helped the Zionist terrorist organisations to gradually control areas in Palestine. Jewish immigration to Palestine was increased and this led to the eventual expulsion of the Palestinian people from their homeland, to become refugees all over the world.

Accordingly, Britain has a moral responsibility towards the Palestinian people and therefore they should take the first step towards remedying the situation. They should do this by issuing a public declaration denouncing their role in causing the Palestinian refugee problem and their long struggle to get back to their homeland. Britain might issue a new Declaration to correct the historical crime they committed with the Balfour Declaration. Then we might be able to forgive; but not forget.

Jaber Sulayman said that the right of return was physically possible (he mentioned Dr Abu Sitta's feasibility study on right of return for refugees, which proved that 78% of Israel's population live on about 15% of the land, while 80% of the Palestinian villages destroyed and depopulated during 1948 war are still unpopulated.) Israel exists on only about 20% of Palestine while the rest remains empty.

Dr Salah Dabbagh said that the refugees lived under a great deal of economic pressure since Oslo. Until the international community does something about this situation, there can be no solution. The right of self-determination is the political right of Palestinians. He was born in Jaffa and would like to go back there. But then, what would his status be? He would not like to be a third-class Israeli citizen. In order to be able to exercise one's right of self-determination, a person must be able to go back to his country. The exercise of the right of return would be incomplete without the associated right of self-determination.

Mahmud Hamud said that Israel had to change to become a truly democratic state with equal rights for all. It must cease to be a racist state.

Aydun, Sidon, 9th September

PARTICIPANTS:

Abu Ali Hasan — al-Khalisa
Jamal Khaddura — Sohmata
Khaled Ghannum — Alma, Safad
Ahmad Sabha — al-Sifsaf
Muhammad Nawfal — Saffuria
Khalid Yunis — al-Sifsaf
Ziyad Kawash — Mayrun

Jamal Khaddura:

I think that the main responsibility for our catastrophe lies with the British Mandate of 1948. This is because a conference took place in London, where around 200 people of different disciplines discussed how to establish a new population in Palestine so as to prevent Arab/Muslim unification. The Jews were searching for a homeland and considered Argentina, Libya, Uganda and Palestine. The Europeans and the Americans were thinking about how to plant a new population in Palestine – or any other Arab country – so as to distract the Arabs, as they feared Arab or Muslim countries. And the Jews were thinking about a homeland. These two needs have been met by making Palestine a homeland for the Jews.

Ten years after Balfour's promise in 1917, in 1927, the king sent a committee to go to Palestine to investigate the reasons for the disturbances there. The committee came to Palestine and met Arabs and Jews. They wrote a report on the main causes of the disturbances. So Britain knew what was happening in Palestine. British soldiers helped the Jews in the events that took place in 1929 and, in 1932 things changed to the advantage of the Jews. Thus, the responsibility for the disaster lies with Britain. I think that it is not difficult for you to understand the main root of Palestine's problem. You must convey our opinion that the British are responsible for the catastrophe of the Palestinians. And you should call for another conference to help Palestinians to return to their homeland and live peacefully with Israelis.

Muhammad Nawfal:

I am a member of the popular committee in Ain al-Hilwa camp. We are not an alternative to Palestinian organisations such as the PLO; rather we are part of the same organisation. Naturally, we are elected from district committees in Ain al-Hilwa refugee camp. We were established in 1985, after the expulsion of Palestinian soldiers from Beirut. We consider ourselves as a public committee set up to defend our people's sacred rights and to improve their social and economic conditions. In other words, we help people to achieve their civic, basic social and economic rights, health and housing. We ask international organisations, in particular UNRWA, and our host country, to coordinate with Palestinian NGOs such as the public committees and Palestinian militias. The committee was established after the Israeli invasion in 1983. Our main aim is to help our people, especially in the current political situation that emerged after the division of the camp, and to uphold our sacred rights, particularly the right of return. We are against any concessions on these basic rights.

Our aim is to meet with our people to raise awareness among them. We hope that the British Delegation will see the situation of Palestinian refugees in Ain al-Hilwa and how they live, and will hear the opinions of our people, and how these people adhere to the right of return and their Palestinian identity. We also want to

maintain that Britain played a leading role in helping the Jews to come to Palestine through the Balfour Declaration.

Khaled Ghannum:

I am a teacher and head of the Social Welfare Association. In the beginning, the Palestinian people were grateful to all liberal and democratic movements all over the world for their support of our cause. And this position is not new. It started at the beginning of the 20th century when the Zionist gangs were planning and conspiring against us. Our generation represents the post-1948 catastrophe. The current Palestinian movement that aims to defend our people's rights and existence is based on international law and the principles upon which our rights – such as the right of return, of self-determination and the struggle against the colonialist Zionist invasion – were formed. Although we do not consider you responsible for our tragedy, we consider Great Britain responsible for its suspicious and conspiratorial role at that time.

During the 1920s and '30s, the British worked closely with the Zionist movement to uproot our people from their homeland and establish a foreign entity called the State of Israel in our land. There was a mythical belief that Palestine was a land without people that should be given to the Jews who did not have a homeland. I am sure that if British people read about the history of their country during the Mandate, they would feel guilty for the suffering inflicted by Britain. As Palestinians, we have the natural right to live in our land. Therefore, the displacement of Palestinians is a crime and we hold Britain first, the West second, and the international community third, responsible for this crime.

Following the displacement of the Palestinians to all Arab countries including Lebanon, the tragedy has continued over three generations. In addition, we have endured several wars, which has meant further suffering and displacement for Palestinian refugees, some of whom now live in Europe and America. The Palestinian movement, including Palestinian NGOs and grassroots groups, has based itself on these issues. Our committee was established after the Israeli invasion in 1983, and the deterioration of social and economic conditions. Our social programme is run in coordination with local NGOs and UNESCO, and the UN. Our social message is to try to raise awareness that they are part of this community, and that our committee is part of this historic struggle in light of the current situation of Oslo and the settlement proposals. We demand that every Palestinian has the right to go back to his village, town and city in Palestine. We are working with other international organisations and networks to stop Israeli aggression. We will continue with our awareness-raising activities amongst the Palestinian people until the right of self-determination is achieved. Please be aware that, if the Palestinians do not have the right to return and the right to self-determination, the violence will start up again. In light of this, we urge the democratic and liberal movement in Britain to help us to achieve these rights. By doing that, modern Britain would rectify its actions during the Mandate.

Thank you.

Ahmad Sabha:

I am from the town of al-Sifsaf, a member in the committee of national activities in the camp of Ain al-Hilwa. I am a simple person, uneducated, but I have lived through the catastrophes of my people since they began. It is neither out of rancour nor out of hatred, but out of frankness that we, the Palestinian people, consider Britain to be solely responsible for all the crimes that have happened to our Palestinian people.

Britain came originally as a coloniser to Palestine and imposed its mandate without taking into account the opinion of our people. It used the pretext that it wants to teach them and enable them to rule themselves. Under its Mandate Britain facilitated Jewish immigration from all parts of the world to Palestine. It supplied them with arms and trained them militarily. There was an agreement with the international Zionist movement and the Jewish Agency to establish a national Jewish homeland by the means of the sinister Balfour Declaration, which was approved by the British parliament itself and deprived our people (of their lands).

If the British found a Palestinian with one empty shell case, they would put him in jail for seven years. We ask the members of the British parliamentary delegation to try to put right what their ancestors did, and to expiate the horrible crime they committed against our people by supporting the right of our people to return to their lands and properties in Palestine. This question is raised in front of the British parliament and we are waiting for their answer.

I was eight or nine in 1948, the day of the catastrophe. When the Zionist gangs entered our village, al-Sifsaf, a calm peaceful village, the inhabitants were all civilians: farmers and workers, not more than 1,500 people, including children, women and seniors citizens. They rounded us up in a large house, just like this one, all the people of the town, and then the Zionists selected 65 young men from the town. They lined them up against a long wall, facing the wall with their hands raised against it. Execution troops, belonging to the Zionist movement, the Jews, executed them in front of their fathers, mothers, wives and children. While I am speaking now I can see my father as if he is present in front of my eyes and dying in front of me.

We demand to work towards the implementation of international law, and especially Resolution 194 – the right of return to our properties and lands and compensation for the years of suffering, killing, oppression and terrorism which our people went through. I left as a child, but I still, along with all my people, cherish one dream – to return to our homeland. It is impossible to accept any solution that does not guarantee this right.

Dr. Jamal Khaddura:

I want to add a clarification on the massacre, just two words more. In the massacre our friend mentioned, the massacre of al-Sifsaf, about 65 people died. There are still two people alive who survived by accident. The scars on their arms and thighs prove what happened.

Abu Ali Hasan:

I am a researcher and political activist, from the village of al-Khalisa in Palestine, which is called now Kiryat Shemona. Before the Sykes-Picot Agreement, all these countries, Lebanon, Syria, Palestine and Jordan, were one country called al-Sham. Problems started after Sykes-Picot, and during the activities of the Zionist campaign which was supported by the British government. Before the Zionist movement in Palestine, problems never existed between Jews, Muslims and Christians. I was born in Palestine in 1946. When I was young, when I was a child, after we left Palestine, my father used to tell me about his Jewish and Christian friends, that was before Israel and before the Zionist movement. There was no discrimination and all people who were living in Palestine were equal citizens. Now, a Jew can come from Latin America and live in Palestine, while I, who live two kilometers from the border, cannot.

We adhere to the right of return. There is space and there is a place for all Palestinians, the 4 or 5 millions or more. There is a space and there is a place and it

is their right to go back to their lands. There is a Palestinian academic in London Dr Salman Abu Sitta. He completed research and put together a map in which he shows that about 80% of the inhabitants of Israel live in 15% of contemporary Israel. Therefore, the return of the Palestinian refugees is possible.

A few months ago some Palestinians, people of Palestinian origin living in Canada, came to see what was happening on the border, in the South of Lebanon (Israeli withdrawal from southern Lebanon – May 2000). This reflects the adherence of the Palestinians, wherever they exist, to their right of return to Palestine.

The Palestinians have been suffering for more than 50 years. They refuse compensation for anything, except for their suffering. There is no way Palestinians can be compensated for their land, or for their right to return to his land or for their right to return to their villages and their country. However, it is the right of Palestinians to be compensated, financially and morally, for their suffering and for the price which they paid, despite having done nothing to harm the Jews, the Zionist movement or any of the human race. Therefore, it is normal, and without question, that all Palestinians adhere to the right of return, wherever they are.

Menzies Campell MP:

One of our contributors said that an agreement which does not embody the right of return would be unacceptable, but we know that Mr. Clinton, in the last few months of his presidency, is trying to salvage his reputation, and is likely to put pressure on Barak and Arafat to reach an accommodation to reach a deal. What would be the consequences on people here in Lebanon if a deal were reached which did not have an unequivocal acceptance of the right of return?

Muhammad Nawfal:

Allow me to answer. Frankly we have deep suspicions about these talks. I mean Camp David, of course.

Of course Palestinian groups said that no agreement had been reached, but in fact, after carrying out communication, investigations and inquiries we discovered that agreements had been reached, about plenty of issues, in more than 80% of these meetings.

We, in the first place, as the Palestinian people, consider the right of return to be an individual and a collective right for all of us, and no group has the right to challenge this. Furthermore, we consider any bargain or concession concerning these national rights, which have been ratified by international law, to be treason. The main authority to decide on such issues is the people themselves, not some individuals.

As for the role of Clinton concerning these talks, he has certain political and personal purposes. That is to cover up his previous, widely known policy. The other point is to enable the Democratic Party to continue in power. As for our rights, if any concession took place, our people will not accept it at all, and will not accept any substitute for returning to Palestine.

The issue of return is sacred, exactly as sacred as the issue of Jerusalem is. Our people, who over a long period of suffering have sacrificed hundreds of thousands of martyrs for the sake of liberating Palestine, will go back to revolution, to strive for their full rights.

The major issue for our Palestinian people is the issue of refugees. It is more sacred than the issue of Jerusalem, and if the issue of the refugees' return to their lands and properties of 1948 is not solved, the Palestinian issue will never be solved and there

will be no peace in the region. We are now addressing the Palestinian delegations, the Arab delegations and the Arab states, asking them not to manipulate the issue of the Palestinian refugees. There is no substitute for the return to Palestine, neither compensating and staying here, nor resettlement. We refuse the whole issue of immigration as well, we refuse resettlement and we refuse immigration, and there is no substitute for return.

Nick St Aubyn MP:

Thank you for being so frank. Other people have told us that the right of return can be legally interpreted in two ways: return to the homeland, or return to the village where the family came from. When you have spoken this morning about return, which one of these two meanings you have been referring to?

Muhammad Nawfal:

To our homes, properties and villages. When we talk about the right of return, we mean returning to our villages and lands of 1948. As for the issue of the national homeland, we leave it to future generations. This is the task of future generations.

At the same time, it is not one of our aims to kill Jewish people, and to do what the Zionists did to our people in 1948. Our aim is to establish a democratic Palestinian state, which the Palestinians will live in, Christians, Muslims and Jews, a democratic state.

Neil Gerrard MP:

If the peace process comes up with a proposal that gives you the right of return to the village where your family comes from, but that those villages remain in the Israeli state, what will be your feeling about returning and exercising the return to the land.

Khaled Yunis:

I saw them, they have set up settlements. Beside each Arab village they set up a colony.

Neil Gerrard MP:

Where did you see them?

Khaled Yunis:

In our country, I have been there three times. I am not a politician; this is difficult to answer, difficult for me to answer. They handed over the lands to the Arab Israelis who were there. Arab Jews, they handed the lands over to them. Where could we go? To the Arab Jews? I know there is a very vast area, and if Israel accepts our return, it can build a city for the refugees in Lebanon and settle them there.

The Israelis gave some pieces of land to the Jews for free, and some parts were sold. Our town, al-Sifsaf, where the demolition took place, in the first trip, I saw it demolished completely. The second time I went there, there was a Moroccan who re-established eight dunums for cultivation¹; he had paid for them. I asked him why and who had planted it. He said he paid the government for it and planted cucumbers and apples.

If pressure is imposed on Israel, it will not be difficult to allow each one to return to his land. However there are vast lands, they can build a city for the refugees, and they can live in Palestine under the Israeli authority.

I am upset with Britain. I lived under the authority of the British government, I grew up there; I know. I want to tell a little bit of the long story about what Britain did

to Arab people; it weakened the economy of the Arabs and strengthened the economy of the Jews. As for products such as orchard fruits, oranges, lemons and all things which they want to send abroad, the Israeli shipped their products to Europe via sea, whereas the citrus fruit of the Arabs rotted under the ground – they used to dig a hole and bury the fruit in it.

There were schools, high schools and universities for the Israelis, while the Arabs barely knew how to spell their names. Furthermore, Britain supplied Israel with arms. This is not just what I have heard, I have witnessed it with my own eyes. Britain used to supply Israel, giving them modern arms, and training them under the noses of the Arabs. For an Arab, a Palestinian, it would be a life sentence if he was found with one empty shell case. I witnessed that, nobody told me. Britain gave arms to the Israelis publicly and trained them. We watched the British training them against us. This is a small part of the story. I lived under the British government.

Khaled Ghannum:

I want to make a comment here. Of course our people do not agree with apartheid or racial discrimination, which is known as colonialism, and which still has an effect on some people or some countries even today.

Our Palestinian people are civilized, and know how to live alongside other people. Therefore, the issue of return to their villages and towns under the authority of the Israeli state is in the hands of the Israeli politicians. This will depend on the Israeli state, and whether it is still racist or whether it will be democratic and open. Palestinian people are able to live alongside Jews, in the same way as they used to live alongside them during the 1920s and before. As the gentleman said a little while ago. Palestinian people can decide their destiny, and to live with Jews in a democratic state through this equitable return to their villages, cities, lands and homeland, far from the racist concepts and the racist discrimination which people reject, and which we reject as well.

Nick St Aubyn MP:

We have been shown some property deeds. How many people in your camp have papers proving ownership of property?

Khaled Ghannum:

Plenty of them have, but we do not know how many, because we have not done the research.

Ziyad Kawash:

I am a member of the Aydun group. I was born in Lebanon and my village in Palestine is Mayrun in Galilee. My father used to tell me about Jews living in his village. To find out about the historical aspect of this story, you can find historical documents and you can speak to refugees who will tell you their story. I am not going to repeat that but I am going to emphasise one thing. There are things that you cannot record, there are things that you cannot find in documents, there are horrors, agony, tears and pain. I am not here to trade the tears of my people as the Zionist did but I have a request here before thanking you for this great effort. I have a request that you may allow one day a Palestinian voice to express our pains, to express our problem, in your honorable parliament. That will be a great favour from your side and this will help our people not only to return to their villages, on which they insist, but also to rebuild a state that will get along with the whole world. I was born in Lebanon, my

mother is from Haifa, my father is from Mayrun. I know about the British rule in Palestine during the Mandate.

Khaled Ghannum:

Since you are a team, which is undertaking a task, and we hope that it is really a neutral task which is not biased, I hope you will reread the ancient history of the Palestinian people, far from the Jewish and Zionist vanities, on this one point. The second point is to reread the modern contemporary history of the Palestinian people far from the false conceptions and suspicious claims, which are mere terrorism and destruction.

Aydun, Damascus
Submitted as written evidence

After more than 50 years after the 1948 war, the Palestinian people are still prohibited from enjoying their natural human rights, particularly the right of return and the right to self determination. Yet, many international resolutions have been issued, in particular Resolution 194, on 11th December 1948, following the mass expulsion of Palestinians, when the Israeli army demolished Palestinian villages and towns, stole their property and slaughtered them. These actions forced the UN's Secretary General Count Bernadot to submit his recommendations to the General Assembly on 16/9/1948 with respect to the Palestinians' cause. The most striking of these recommendations was that Palestinian refugees who wished to return to their homes should do so as soon as possible.

On 11th January 1948 the UN General Assembly was held to consider these recommendations and issued Resolution 194, in which paragraph 11 states that " Palestine refugees who wish to return to their homes and live in peace with their neighbours should be permitted to do so at the earliest possible date..."

To ensure the implementation of the resolution, the UN General Assembly agreed to accept Israel's membership into the UN on condition that Israel pledge to implement the UN's resolution.

From UN Resolution 194 being issued up until now, the UN has reiterated this Resolution every year. Israel has not only rejected the UN's resolutions but has also failed to abide by Article 13 of the Human Rights Charter. Yet, the international community is still dealing with the refugees' cause as a humanitarian issue, and ignores the other legal, political and moral aspects. The UN has restricted its role to providing help through UNRWA and has avoided implementing its resolutions regarding the right of return. In addition to the above, the Israeli rejection of the right of return and the imbalance of power on the Israeli side, all help to jeopardise the right of return.

As a response to this situation, the Palestinian communities in the diaspora have organised a wide range of activities that aim to preserve the right of return and to link this right with the right of self-determination. Many organisations have been established all over Palestinian refugee communities in order to achieve this goal.

In Syria, Palestinian refugees enjoy the same civil rights as Syrians citizens, and they are fully integrated socially and economically within Syrian society. However they still hold their national identity, and their main aim is still to obtain the right of return as a collective right. They have expressed that aim by participating in the Arab and Palestinian liberation movement, resisting all Zionist initiatives, demanding that UNRWA continue to provide its services as a symbol of the international community's acknowledgement of the problem of Palestinian refugees.

Some independent Palestinian refugees in Syria have established the Aydun group, as a challenge to the current threats to the national rights of the Palestinian people and to avoid Palestinian refugees in Syria being excluded from activities aimed at reinstating their right to return to their houses and their right to self determination.

The Aydun Group is an independent, civil society group which is not con-

cerned about political affairs so much as the right of return. It is open to all of those who support the right of return.

Our objectives:

- * To mobilise Palestinian refugees in order to put pressure on policy makers to implement the right of return, and to safeguard against any concessions in respect of this right in any future solution or settlement.
- * To coordinate with all Palestinian, Arab and international organisations working in this field.
- * To mobilise the international media to support the right of return for Palestinian refugees.

Activities:

The group's activities are based on human rights principles, conventions and charters with regard to the rights of Palestinian refugees, and focus on three levels:

1. Working amongst Palestinian refugees in Syria in order to give them a chance to get their voices heard in relation to their right of return and right to self-determination.
2. Palestinian refugees in Arab countries and the rest of the world. In order to communicate better, and to exchange information and experience to implement this right.
3. International media and human rights organisations. To gain their support to help the Palestinian refugees to return to their homes.

We hope that you will support the right of return for Palestinians refugees.

*Majed Fanous, Muhammad Isa Fares, Muhammad Matouk, George Cattan, Raja Dib, Na'meh Nasser, Diab Khalef Diab, Hassan Awda, Ahmad Saleh.
Damascus 22nd July 2000*

PARTICIPANTS:

Dr Muhammad Uthman — Husseiniya, Safad

Dr Ahmad Salah — Nahaf, Acre

Dr Uthman:

Thank you for your introduction. I feel that it reflects the feelings of refugees because, as you say, after Oslo we feel that we have been forgotten. It gives us hope that we are not forgotten. Concerning the questions that you have written here, we are one of the associations of the PLO. Our main role is a humanitarian one for all the Palestinians in the camps, and Palestinians generally.

We try to alleviate the suffering of our people with the help of our friends from around the world.

My own opinion is that I want to go back to my homeland. Back to my village where we have land. I still have relatives there – my uncle and others. If you ask other Palestinians, the majority will insist on going back to their homeland – Palestine. All the workers of the PRCS are a part of the people everywhere; inside and outside Palestine. We all have the same feelings; we abide by what was done by the leadership of the PLO, the decisions of the Central Council; we insist on going back to our homeland. Doctors, nurses, technicians, they are all educated people. Ten years ago, we were the most highly educated people in the Arab world.

As long as we are here, the least we want is to live in dignity. We are human beings. We need to improve the living standards of the refugees. We are trying to do what we can. We have five hospitals and we have lost some clinics. What UNRWA gives us is not enough. I am talking mainly about chronic diseases, cancer and open-heart surgery. The budget from UNRWA is not enough; we need more money.

Dr Ahmad Salah:

Let me give you an example. We are deprived of work. Doctors, engineers, teachers and others can not find jobs in this country. Our people have been living in camps for a long time. Me myself, I am from near Acre. My village is still an Arab village. More than half of my family are still there. The first time I saw this half of my family was after the Israeli withdrawal from south Lebanon. It was a strange feeling to see my family for the first time after 50 years. There must be a solution for our people.

Menzies Campbell MP:

What part of your organisation's activities involves the training of nurses? You were talking about the need for funds.

Dr Uthman:

Much of our work was in the field hospitals to treat injured people.

We then had to have a plan to reform our services. The first thing we did was to renovate our hospitals and most of these hospitals were made into primary health centres. We have only four district hospitals and one central hospital left. We started to re-equip and renovate. When this was done, we started to train and to teach. We have a programme of courses, some of which are sponsored by the British Embassy. It is not only for doctors and nurses, but also for hospital management. We have our own nursing school.

Nick St Aubyn MP:

Do you have any way of judging how the level of care compares with Palestinian refugees in other countries, such as Syria and Jordan?

Dr Salah:

In Lebanon we have two health service providers. One is UNRWA and the other is the PRCS. UNRWA only has primary health care centres and they have contract beds with PRCS and with some private hospitals in Lebanon. At PRCS, we have hospitals: the district hospitals and the central hospital. We receive patients both through UNRWA and also those who are not registered with UNRWA.

In our hospitals we have different activities. We have a small intensive care unit. We will be opening an incubation department for low-birth-weight babies. And we have a general surgery and different medical specialities.

We face special problems with regard to Palestinian refugees. Sometimes we can't accommodate the patients in our hospitals and we can't provide the services for them. For instance, cancer therapy or open-heart surgery. We haven't got these services. So the Palestinian refugees suffer in this way, because UNRWA does not cover these services. Also, there is a rule in UNRWA that any patient over 60 years old does not qualify for open-heart surgery or other forms of life-saving treatment. UNRWA does not cover these people.

Dr Uthman:

Today I had a patient who needed a pace-maker for his heart. He is over 60, so UNRWA cannot help with this matter.

Menzies Campbell MP:

Can special applications be made to UNRWA for particular cases or is it a blanket rule?

Dr Uthman:

Above 60 years there is no hope of help from UNRWA.

Neil Gerrard MP:

We know that UNRWA has financial problems. That remark has been made to us on several occasions. How is UNRWA regarded within the camps in Lebanon, when UNRWA is in the position of having to reduce services or refuse to provide these services? Who is seen to be responsible for that?

Dr Uthman:

The popular committees are calling for a strike against UNRWA, for exactly the reasons that you are saying. These days, the schools have started to open again, but there are not enough places.

Neil Gerrard MP:

Do people see a political agenda behind these decisions or not?

Dr Uthman:

Yes, I think they do. It is not my job to answer on their behalf, but I think yes, they probably do.

Neil Gerrard MP:

In some of the camps that we have been to it seems that people seem to come from particular areas in Palestine. For example, when we were in Balata camp, we were told that most people came from a particular part of Palestine. Is that true of the Palestinians in camps in Lebanon? In terms of the return, this will become very important.

Dr Salah:

Most of the refugees in Lebanon came from the north of Palestine. But after the 1967 Arab-Israeli war, some Palestinians came here from the West Bank and Gaza. Usually, these people are not registered with UNRWA. They are not provided with any services from UNRWA. The only medical services they get are from PRCS. I come from Rashidiya camp. Most of the people who came from my village live in the same camp.

Dr Uthman:

Our generation were all born in Lebanon. But you will find people from the various villages in northern Palestine, grouped together in the different camps; 98% of refugees in Lebanon are from northern Palestine.

Neil Gerrard MP:

One of the other comments that has been made to us is that, because of conditions for the refugees in Lebanon, there is a very strong tendency to leave the country, to find work elsewhere. Has that had a notable impact on life in the camps?

Dr Salah:

There are no jobs for young people and so the first opportunity they get to leave between 18 and 25, they take it. They are going everywhere, to Scandinavia, to London, to Australia, to Canada. There are no jobs here. They cannot build and support their families. I have four nephews that have left. Two went to Scandinavia and two went to London. And then they cannot come back to Lebanon.

Menzies Campbell MP:

So this is a very big decision, because once you have left it means that you have separated yourself from your family?

Dr Salah:

We are scattered everywhere.

Nick St Aubyn MP:

Do you also help with the mental health problems of the refugee communities?

Dr Uthman:

We do not have this specialisation in our organisation. But around 30% of the refugee population have some mental health problems as a result of the trauma and violence of the war.

Nick St Aubyn MP:

Can you tell us something about the importance of the right of return with regard to the self-esteem of the refugee community.

Dr Uthman:

It is of 100% importance.

Dr Salah:

If we have the right of return according to UN Resolution 194, I think that most of our problems will be over. There is continuous daily suffering here in Lebanon. People are besieged inside their camps, they have no right to work. Their families need basic items to live and they can't provide them. Imagine how that must feel. If we are granted our right of return, most of these problems will be finished and we will be normal people.

People are forced into making difficult decisions, for instance to leave their families and go abroad, because of the difficult situation in Lebanon. So we insist that we should return to our country.

Neil Gerrard MP:

Can I ask you about one of the things you mentioned earlier, which was having been able to see your family for the first time in many years? Can you describe what happened? Because it sounded as if you had been able to see them, but you hadn't been able to meet physically.

Dr Salah:

We were not able to get close to each other. An older person came from Palestine to the border and said to me, "I am your uncle." We signalled to each other across the border. But I had a very strange feeling because I couldn't get close to him, to embrace him. We couldn't get close, there was wire and soldiers between us. It is also the same when you see your country and you can't reach it, because they put barbed wire in front of you.

Neil Gerrard MP:

Have many of the refugees had the same experience as you?

Dr Uthman:

Thousands have done the same thing and there are some very mixed feelings.

Ernie Ross MP:

When we were in Aida camp in Bethlehem and we were taking evidence many people said that they said that they wanted the right of return and would be prepared to live in the State of Israel. Would you be prepared to return to your homes and live under the Israeli political system.

Dr Uthman:

I am prepared to live in a tent under a tree in my village. When I went to the border for the first time in my life, as I said, I had mixed feelings. But as a result, I am more determined to return to my village. Speaking personally, I have three priorities. First is to go back to my homeland. If I cannot get back to my homeland, I would live in the new Palestinian state. If that is also not possible then I would go abroad, but not to an Arab country.

In the last stage of the negotiations, they declared that if I had relatives in Israel, they could invite me back to live there. Palestinians will then either take a Palestinian passport or an Israeli passport; these things will be the last things to be decided. First

we have to be allowed to live in our homeland and then we can solve these other issues.

Neil Gerrard MP:

You just mentioned the family reunification possibility. Would this in reality affect many people or is the rate at which people are allowed to go back under this scheme so slow as not to make much difference?

Dr Uthman:

The Prime Minister of Israel declared recently that he would open four points on the border so that Palestinians refugees could meet their relatives without barbed wire in between and drink coffee for an hour or two. I think this is the beginning of what we are asking from them. My own opinion is that this is a first step.

Nick St Aubyn MP:

When you say this is a beginning, do people discuss a timeframe for returning to their homes? How long might it take to implement return?

Dr Uthman:

Since Oslo, I have always said that it was going to be a long, long process. Not less than 15 or 20 years.

Menzies Campbell MP:

Have you any way of assessing what your reception will be like when you might return to your homes? Villages will not be the same.

Dr Uthman:

The most important thing for me will be to be with my relatives on my land. It is a dream for me. Despite being born here in Lebanon, my grandfather and father told me everything about our home. I have a feeling inside me that my country is there – 650 dunums of land. It is our land and it is registered in the British records department. I have a country.

Nick St Aubyn MP:

Has the possibility of taking on Israeli citizenship after return to the villages been discussed by refugees in Lebanon?

Dr Uthman:

The first priority is to go back and then these points can be discussed.

Palestinian Red Crescent Society

Submitted as written evidence

The Palestinian Red Crescent Society is one of the PLO organisations renowned for its close work with Palestinian people, particularly in the diaspora. It tries to alleviate health and social problems inflicted by the catastrophe of war due to Israeli occupation of all Palestine and the expulsion of the Palestinians from their land and homes by barbaric, aggressive and unjust means.

The Palestinian Red Crescent's employees are part of the Palestinian people; they hold the same feelings and ideals, and experience the same ordeal. Our national identity is based on the Resolutions of the Palestinian National Council which shape the PLO's policies, and is a framework of which we are part.

All of the doctors, nurses and administrative staff believe in, and adhere to, the right of return. This is because the ordeal endured for 50 years or more has encouraged the Palestinian people, in particular activists who are well informed on the extent of the tragedy, to reject all form of resettlement or displacement proposals as alternatives to the right of return. In contrast, we uphold the right of return and compensation as granted in international laws, particularly Resolution 194 that we consider it as our legal ammunition.

We wonder why the world, especially the so-called free world, rushed to return the Bosnians to their land, and return the Kosovars to their land, simply because the world decided that this should happen.

Why doesn't the international community help the Palestinian people to return to their land? We also wonder how we could allow more than one million settlers to come from Russia to settle in occupied territories of 1948, live in our houses and enjoy our resources. In the meantime, we are living in the diaspora, suffering living in tents, alienation, families having been separated, consecutive economic and security problems, and massacres such as Sabra and Shatila.

These were some of the questions that we would like to be addressed.

We hope that the world will listen to wisdom and logic after 50 years of a tragedy that has been inflicted by the unfair Resolution 181 of 1947, which divided our land and led to the displacement of our people. Although one of the main conditions of the world's acceptance of Israel's membership of the UN was Israeli implementation of Resolution 194. Israel has never complied with this. We are still suffering, and feel we have been subjected to unjust treatment throughout history; since Balfour's promise until now.

Q- Have you discussed, within your organisation and with its members, the right of return and what this would mean in practical terms?

1. The implementation of the right of return should be ratified by Israel, who should acknowledge its legal, political and financial responsibilities for the tragedy and the displacement of Palestinians from their land.

2. The implementation of this right should be discussed with the Palestinian leadership and with the host countries, in order to ensure that every Palestinian achieves the right of return to his/her land.

3. Palestinian refugees should be compensated for the psychological and physical injuries that have been afflicted by the catastrophe of the 1948 war, as it is an essential component of Resolution 194.

4. We in the PRC have always believed that peace has no meaning if the Palestinians remain displaced outside their lands; such a situation could destroy the peace process.

5. We in the PRC emphasise that Palestinian people in the diaspora should live in dignity until their return to their land.

PRCS, Lebanon Branch

PARTICIPANTS:

Amna Jibril — Haifa

Haifa Jamal — Shafa Amr, Haifa

Ulfat Mahmud — Tarshiha, Acre

Amna Jibril:

I'm a Palestinian refugee, born in Lebanon. I'm following up the work of the General Union of Palestinian Women, Lebanon branch. I've been working in this Union since 1972 and we are trying to lessen the suffering and the problems of the Palestinians in Lebanon. We work in the camps which are recognised by UNRWA but also in the communities which are not officially recognised by UNRWA.

We have many projects in Lebanon. We take care of the children and women, and lately we work with men also, because they lack opportunities for work and we try to secure them some micro-credit schemes. We have about 17 kindergartens and 3 nurseries. We have some training centres for women in order to rehabilitate them, to be able to work and to survive, you know. Because in Lebanon, we are forbidden to work in many professions. We have many problems and there is a lot of suffering, but above all we have our political problem. Palestinian refugees in Lebanon, since the Oslo agreement and the negotiations, are so worried and scared for the future. Because even the Oslo agreement – which doesn't represent our ambition as Palestinians who have the right to go back to their land – even this agreement is not fulfilled. This means that Israel is not working for peace.

Since the Oslo agreement, we see that the number of settlements increase and we see that they are still stealing our water. I think you know the proportion of the water which is taken by Israelis and what is left for the Palestinians. Still now they are detaining people; still now they are demolishing houses. The greatest crime is pretending that they are building on unclaimed land. This is Palestinian land.

We greatly appreciate your visit, to find out more about the Palestinian camps and the suffering. But we do not feel that there is any pressure on Israel to fulfil and implement the legitimate resolutions of the international community. We need your help and your support in order to put pressure on Israel to withdraw from our land. We are not living as human beings here in Lebanon. We are marginalised, we are neglected. They try to isolate Palestinians in this small camp, which has doubled six times since 1948. And people have many problems. I think you have seen Shatila Camp, which is a den of misery and poverty. I don't think that we deserve to live this way after 52 years in Lebanon.

They say that we want to settle down in Lebanon, and that we are working in order to stay in Lebanon. This is not true, you know? All Palestinians with all their belongings and beliefs, do not want to stay in Lebanon as refugees. We all work and struggle to be allowed back to our land. We are not ready to stay here. And we suffer here, but we bear this in order to maintain the opportunity to go back to our land.

I don't think the international community is fair. They work for some places in the world. They put pressure on some political parties. But they are not working with Palestinians. They are not putting any pressure on Israel. We see the military and financial support given to the Israelis, where the Palestinians are still living in misery. Even in the West Bank and the Gaza Strip our people are not living in a humanitarian way. I think you have seen the Palestinian camps there? All that we want is help

to go back to our land. We don't want to stay here as refugees. It is our right – our sacred and historical right to go back to our land, and I think you and all the international community should work as they worked with the Bosnians. Why were they allowed back to their land and the Palestinians are still imprisoned in their different camps? Why did the Israeli Army withdraw from South Lebanon? The international community deals with Palestinians using double standards. We are not asking for anything that is not ours. We want to go back to our land. It's our sacred and historical right. Thank you.

Ulfat Mahmud:

I am Director of a women's organisation. Our main purpose is to serve women and children as well as the young people both girls and boys. We have many projects in many camps as well as in Palestinian communities. As a Palestinian, I'll tell you about my feelings, which represent the feelings of my people. I agree with all that my colleague, Amna said. I want to add to what she said. Last year, Palestinian issues were on the TV a lot. "What shall we do with the Palestinians?" We felt that we were not being treated as human beings and that there was no sense of humanity in the way they discussed our issue. I was discussing this with a group of women. They said, you know, everyone is afraid of the Palestinians. Go to any Embassy. The minute they see your travel document, you need to go through a huge procedure to get a visa to go to any country, because they are afraid that you will stay in that country.

We feel that we are treated like nuclear waste. Everyone is afraid of nuclear waste and no one will take responsibility for that waste. And yes, we agree with them: Yes, we are like nuclear waste, and each country should be responsible for its nuclear waste. Palestine should be responsible for the Palestinian people. So I think the best solution is to throw us back to Palestine. We insist that we want the right of return to be implemented. UN Resolution 194 talked about this right and we don't want this right to exist only on paper. We want the UN to implement all their resolutions. So, being out of Palestine, out of our homeland, we have lost our dignity. We have lost the opportunity of being well educated. We are very worried about the future of our children and it seems to us that any solution that is agreed for the Palestinians, if it does not include the right of return, will be very tough on us and won't be a fair solution. So I agree with my colleague: the right of return is the best solution, and why not? To go back to our homeland. We can't see any problem with going back there. Thank you.

Haifa Jamal:

I am the Director of the Najda Association. We work amongst the Palestinians communities in the camp and in the surrounding areas. Our main aim is to empower women to become a productive element in their families. We have different programmes, we have an education and training programme to give the women the opportunity to work and also we provide them with loans to allow them to have their own enterprises and their independence. And also we have education, projects.

I would like also to agree with my colleagues about our situation, and about our demands. I am a Palestinian refugee. I was born in the camp and I live in a Palestinian camp in Lebanon. My origin of my family is a village in Palestine, close to Haifa. This is also my name, "Haifa". If you are asking us about Resolution 194, and what we believe as refugees: there is only one answer. We ask for our right of return, according to the UN Resolution 194. I believe that as a Palestinian, we are one people. In the agreements and the negotiations, they try to divide us: the Palestinians who live in

the West Bank, the Palestinians who live in the Gaza Strip, the Palestinians who live here in Lebanon and so on. We believe that we are all one people and our right to live like all the people in the world, according to the Declaration of Human Rights and the principle of human rights for all people in the world. We demand our independent state with Jerusalem as our capital and the right to return.

As my colleague mentioned, every year we hear more stories and scenarios about what might be the solution for the refugees. We hear that no one considers solving it based on UN 194. They talk about this resolution, but in reality they don't discuss it to solve our problem. Sometimes we hear that they will send us to Canada, Australia or to London. Really, we hear different things every day. But no one comes to ask us our opinion and point of view. We really appreciate you and your mission. You have come to ask us how we see things, and how we believe our problem can be resolved. Really, it's very important. Always we said: "We are human beings. You should ask us. We have our right to self-determination. According to international conventions, which you mention in your Concept Paper, we have our rights. Even though they may sign an agreement to solve our problem using resettlement. We as individuals still have the right of return. And no one can sign that away for us. We will continue the struggle until we implement this right.

We believe that the political situation in the world will not stay the same. We learn from history: before the Soviet Union collapsed no one, even one year before, no one believed that this great empire would be destroyed in a few days. And no one believed, even in Germany that the Berlin Wall would be destroyed in one night. Also we believe that the political situation in the world is not fair. I am sorry to say that, but world is controlled by one boss: the United States. And the United States is 99% on Israel's side. Sorry to add that European countries are also not fair regarding our situation: they are better than the States but especially Britain, is close to the United States, to their point of view.

It is important to us that a group from the Parliament, from Britain, allows our voice to be heard by these people. To recognise and at least to understand who we are. We are the biggest group of refugees and we are the oldest group! They talk about compensation and other things. Nothing in the world, no money, nothing can compensate for what we have suffered. You can't imagine what it means to be a refugee for all your life. You can't imagine what it feels like to think that you will continue to be a refugee in the future, and that your children will also be refugees. You can't imagine this feeling and how much it affects you as a human being. The international community put pressure and obliged former Yugoslavia to let the refugees from Kosovo return to their homes. They used force, and military power. We only ask the international community to implement what they created – the UN resolutions, which they made. If they implemented these resolutions, relevant to our cause, we will achieve our rights. Thank you.

Amna Jibril:

I want to add something. We feel sometimes that the international community believes what the Israeli leadership says all the time; that the old Palestinian generation will die and their children will forget. This is not true, because even our children dream of Palestine and they want to go back.

I want to add something to what my colleague said concerning dignity. Sometimes we feel that we have lost our dignity here in this country. Can you imagine, when the minister of tourism does an interview on TV and says Palestinians are garbage! We are not garbage. We built this country. All that you see in South

Lebanon, in the fields. All those fields were planted by Palestinians since 1948 when they first came to Lebanon. All our money is spent here in Lebanon. And we are still considered as strangers. We don't want to settle down; we want our right to return. We are always accused of being terrorists here and that we are trying to destroy Lebanon. During the civil war in Lebanon, it's very well known among all the international media here, who was the cause of the civil war. Palestinians were not the cause. It was a war between the Lebanese; between Christians and Moslems. We defended Lebanon. In South Lebanon, we stayed for 20 years defending Lebanon.

Nick St Aubyn MP:

Could you just comment very briefly on the effect of the war on the schooling of the younger generation and their education? How this would need to be taken into account in a settlement programme when they return?

Amna Jibril:

Yes. I can speak about it because I lived in one camp. Because I was besieged with our people for three years in Shatila camp. There were two schools in Shatila camp. Two of them were completely destroyed during the war. Because many children could not afford to go to private schools, they stayed in the camp for seven years, not going to school. We had a great number of drop-out children who are suffering until now, because, for example in Shatila and in all our camps, they were besieged and witnessed some terrible battles. In addition we had a great number of children who couldn't go to school because of their living situation. For example, a family consisting of six or seven persons might decide that some of the boys should go to school and that two or three of the others should work in order to help the family survive. This has been a big problem.

In addition there is also a problem with the UNRWA schools. For example in many areas, in many camps, we haven't any secondary schools. Many children leave school in the preparatory phase and then they have nowhere to go. The Women's Union and other NGOs, are trying to organise programmes for these drop-outs in order to rehabilitate them and for them to go to vocational schools and vocational training centres. Then they can learn a profession to survive. As I am sure you know, the Palestinians were the most educated people in the Arab world. But this situation deteriorated after the Israeli invasion of Lebanon and after the camp war.

We have had many battles with UNRWA in order to build additional schools. Because in every class, there are about 55 children. Four or five children sit at one desk, which is not reasonable at all. The services of UNRWA are deteriorating, especially after the Oslo agreement, and because I think they plan to liquidate most of their activities in the different camps. For example, last year they ended the women's programme in UNRWA. As the Women's Union, we took over two centres from them in order to make use of them and to allow women to continue to benefit from these centres. In education we have many problems. There are only four secondary schools for UNRWA in Lebanon, which is not enough at all. When they graduate, they start to think where can they go? Some of them think of emigrating.

Nick St Aubyn MP:

I wonder if you might like to comment on the particular problems with those who were in school at that time and are now in their early twenties and the problems they're encountering now.

Amna Jibril:

I want to make you aware of one thing: sometimes if you read the statistics and books, then you will think that the Palestinian education situation is excellent. When they do their statistics, they assume that any child who goes to school learns to read and write. Actually, from my experience, we have many now who are enrolling in our programme and have been to school for seven years, six years; yet they can't write their names. Because during the war, many schools did not set any exams. Sometimes children couldn't go to school because of the war and then they would go on to the next year without any problem. So now, if they want to do some training, and they can't read and write, they can't join any vocational training centres. Then if they don't gain any certificates, they won't have any jobs. Also they can't read any newspaper, they can't watch TV. It's very easy for these people who lost the opportunity to go to school to believe in any of the rumours that spread; especially regarding our situation. For example, they heard now that many Palestinians have managed to go to London - to get smuggled into London. And now most of them don't want to enrol in any programme. They are waiting until they find a way to be smuggled into London. So they can't analyse things, they can't read. It's very easy for them to believe whatever people tell them.

Haifa Jamal:

I would like to add two comments. In the reports of UNRWA, they mention that 50% of UNRWA schools work on double shift; i.e. two schools in one building. In this situation the students only learn for four hours maximum per day. And also the UNRWA report says that 60% of their buildings are not sufficiently equipped. At the same time, the curriculum of UNRWA is a traditional curriculum without any new technology and new equipment. If you read the statistics, you'll find that in the elementary/primary schools, boys and girls are the same. But in the secondary schools, the rate of girls attending goes down, because they can only go to secondary schools, which are not run by UNRWA, and they have to pay fees. When the economic situation is too difficult, many people here have the mentality that they prefer to pay money for their boys not for the girls. And really it affects the future of women in the next generations.

Save the Children Fund, Miya Miya Refugee Camp, Lebanon,
9th September 2000

PARTICIPANTS:

Wisam Uthman — 12 years old (Sa'sa)
Mahmud Khaddura — 13 (Suhmata)
Walid Mustafa — 13 (Suhmata)
Hiba al-Rashid — 12 (Saffuriya)
Hanan al-Rashid — 13 (Saffuriya)
Ihab al-Aynayn — 12 (Shaykh Daud)
Muhammad Abed al-Aal — 12 (al-Ghabsiya)
Taher al-Masri — 12 (al-Zayb)
Muhammad Shahin — 15 (Lubiya)
Muhammad al-Sa'di — 15 (Hittin)
Zarah Abu Suwayd — 11 (Hittin)
Adam Urabi — 12 (al-Mansiya)
Iman Mari Mustafa — 9 (Aynabus)
Samir Shawki Zamam — 13 (al-Kabri)
Mustafa al-Kirsh — 15 (Haifa)
Samir Muhammad Hassan — 13 (al-Naher)
Hanin Isa Saleh — 13 (Nahif)
Faraj Abdullah — 13 (Husha)
In'as Hisham Masriya — 15 (al-Tira)
Jihad Khasham — 14 (Suhmata)
Wardesham al-Zayn — 13 (al-Ghabsiya)
Sahiya Ibrahim — 13 (Ras al-Ahmad)
Nisrin Khalifa — 12
Hassan Abed al-Aal — 11
Ihab Jamal — 12
Mahmud Yusuf Hijaj — 14

Save The Children Fund, working in Lebanon with local NGOs, organised a meeting for the Commission to meet children from refugee communities from all over Lebanon. The afternoon began with a performance of music, with singing and dancing in traditional costume. When the performance was over, the MPs sat in small groups with the children to talk about their lives in the camps and their hopes for the future. The children had participated in a photographic project, where they had been given disposable cameras to take pictures of their lives as refugees. The pictures from the project were displayed on the walls.

Below are the main themes articulated by the children.

Life in the camps:

They were all conscious of deprivations and limitations of life in the camps of Lebanon. They spoke of the physical deprivations: lack of sanitation, inadequate housing, nowhere to play. They knew that in other countries children had football pitches; the only place for them to play in the camp was a small area in front of the mosque. They also talked about the military encirclement of the camps in Lebanon, and how difficult it was to move around.

They told the MPs that the refugees were not allowed to rebuild or reconstruct their homes in the camps. Many of the houses had zinc roofs which

leaked in the winter and acted like an oven in the summer. They lived in very cramped surroundings, with many people sharing one room. They knew that in other countries, everyone has their own room. They were acutely conscious of the poverty in the camps.

The roads in the camps have open sewers which is a very unhealthy environment. There are many cars and the roads are dangerous.

They spoke about the difficulties in attending school in the camps. Usually there was only one (UNRWA) school to each camp. The classes were cramped and crowded – sometimes 50 children or more in each class. It is very difficult to learn. Due to these difficulties and also because of the extreme poverty in their communities, children often leave school far too early, sometimes aged 10, to earn money.

One girl said that she was dreading leaving school, because she knew that as a Palestinian refugee she would have no more opportunities to study and work in Lebanon. She wanted school to go on for as long as possible. Others said that even when it was possible to get a higher level of education, it was impossible to find work in Lebanon.

Identity:

All of the children knew where their families came from in Palestine, and all of them wanted to return when they grew up. Some had been to the border in the south after the withdrawal of the Israeli army. They had hoped to see other children from Palestine, but they had been unable to come to the border. They were anxious to go back and see Jerusalem. One of the children commented that when they returned to Palestine their rights would be guaranteed. At the moment the rights of the Palestinians in Lebanon had been cancelled. They have no right to return to their homeland like other people. They did not want to stay in Lebanon, because it was not their home.

They commented that at school they learned all about Lebanon and other Arab countries but that they did not get to study Palestine.

One boy said that everyone called them "Palestinians in Lebanon", but that they would rather be called "those who would return" (*aydun*). They had been in touch with other Palestinian children in camps in other countries. They all wanted to go back to their homeland.

The children were all aware of their rights under international law. They asked the MPs about why Britain didn't force Israel to allow the right of return. They said that pressure should be put on Israel to implement international resolutions, not just on Iraq.

Palestinians in Lebanon:

They were very conscious of themselves as outsiders in Lebanon. One boy even described being made to feel like an enemy in Lebanon. They talked about the military encirclement of the camps and the difficulties that they encountered moving around in Lebanon. There were checkpoints everywhere and they always had to show their identity cards.

They talked a lot about the lack of employment opportunities for Palestinians in Lebanon and how this was forcing people to leave their families and look for work abroad. They talked about the poverty in some of the camps and knew that many refugees needed a lot of help and assistance from international organisations.

They were acutely aware of UNRWA's role in Lebanon. They also talked a great deal of their fears that UNRWA was running down its services and would eventually disappear.

Visit to Shatila Refugee Camp, Beirut, 8th September 2000

The Commission paid a short unscheduled visit to Shatila Refugee Camp in the south of Beirut. Shatila is home to 6,000 Palestinians and an equal number of Lebanese and Syrians. The MPs were accompanied on the visit by Mr Abu Shuwayd, the head of UNRWA's Beirut office, and taken to visit four families who were receiving assistance from UNRWA as "special hardship" cases. They were also joined by members of the Palestine Human Rights Committee and representatives of the popular committee of the camp.

The first family were six people living in a two-room shelter. One of the children was 14-year-old Nawal, a young girl with a brain tumour. The family did not have money to pay for the operation that she needed and UNRWA cannot cover the costs of such cases. UNRWA has referred the family to a Lebanese hospital, but the cost was \$200 per day. Nawal was being cared for by her family with no medical treatment available.

The Commission were told that UNRWA subsidised two hospitals, Haifa Hospital and Sahwa Hospital. These centres could carry out simple operations, but more complicated surgery like heart surgery, could not be covered by UNRWA.

In the case of **the second** refugee family visited by the Commission, there were four people living in the shelter. The mother, originally from northern Palestine, had lived in the camp for 45 years. She was a widow and had lost her husband and son during the war in Lebanon. One of her sons is mentally handicapped and needs to be cared for constantly. She has a heart condition but is unable to get medication. She told the MPs that until 15 years ago, all families used to receive rations. Now those families without breadwinners, such as hers, are classed as "special hardship" cases and receive \$10 every three months. They also receive flour, rice and sugar, etc. She told MPs that she had lost everything and needed constant assistance in order to survive.

The third family was from a village near Acre and the MPs asked them about their hopes for the future. They said that they are not against the Israelis, and that they do not want to harm them, they simply wanted to return to their homes. The mother, Um Mazen, said that she did not want to return to the new Palestinian state, but rather to her village in Israel. She commented that money comes and goes, but one's home remains constant. She said that Britain was the cause of their current situation, and she lost family members when they were forced to leave their homes. Three of her sons have since been killed in the wars in Lebanon.

The fourth family that the MPs visited were eight children and their parents. They all lived in a two-room shelter. There were originally 16 children, but the others children had been killed during the war. Some had been killed during the siege of Tal al-Za'tar. The father said that his wife had needed a heart operation a few months before, but that it had cost (\$6,000) He complained that UNRWA would not help them. He was forced to take out a loan to pay for the treatment and is paying it back in installments. He is not sure that he can afford the payments. He said that the economic difficulties are great in

Lebanon and he believed that UNRWA should do more to solve these problems, as they receive money from countries all over the world.

In informal conversations with the residents in the camp, it was made clear that the only acceptable long-term solution to their situation, as they saw it, was to return to their homes and villages. Some also specified that they would be willing to live as Israeli citizens in their villages.

HE President Emile Lahoud, President of Lebanon, Beirut, 7th
September 2000

The President stated that he has been concerned with the issue of the Palestinian refugees since he came into office. Recently Lebanon had focused on the Israeli withdrawal in the south, which had occurred without bloodshed; the resistance had come under the umbrella of the state. However, there will never be a full peace as long as there is a Palestinian problem.

Lebanon is not like other Arab countries. It is a small country with a large economic problem. It has a population of four million, of which 10% – 400,000 – are refugees. There are 17 different religious sects in Lebanon and an increase of 400,000 from a single sect would upset the demographic balance. It might even cause a war in the future. The Palestinian birthrate is three times higher than the Lebanese. Lebanon needs a permanent settlement of the Palestinian refugee problem, not just compensation. The Palestinians are still living in the same conditions as when they arrived in 1948; they are temporary and have been waiting to return home for over 50 years.

The multilateral track of the peace process will not be able to solve the refugee problem – it is primarily about improving their conditions, rather than finding a political solution. Real peace must include a solution to the Palestinian problem but, if it is left until the end, it will mean that the refugee problem will not be solved. Peace must be comprehensive, including the return of the Golan Heights. A peace simply between Israel and the Palestinians will not bring a comprehensive peace to the region.

Nothing has changed in Syria with the coming to power of Bashar al-Asad; he has a modern way of governing and thinking. The official response of the US was that Lebanon is a special case with regard to the Palestinian refugees. In the future, it will be dangerous not just for Lebanon, but for everyone in the region. For example, the weaponry in the camps. They remain a potential hazard to a precarious peace.

HE Salim al-Hoss (Prime Minister of Lebanon), Beirut, 8th
September 2000

On the issue of refugees, the Prime Minister stated that the only solution to the problem lay in repatriation. The refugees themselves will always say they want to go home and Lebanon subscribes to this view, which is in line with UN Resolution 194. Lebanon does not accept the settlement or resettlement of the refugees. The country has endured a long period of struggle (1975-1990), which ended with the Taif Accords; this included a specific provision: no resettlement of the refugees. He insisted that, for the sake of national reconciliation, Lebanon cannot afford to compromise on this issue. US Secretary of State Madeleine Albright said that it was a matter for the Palestinian Authority and the Government of Israel to decide, but the Lebanese argue that they are also involved, as hosts for so long of the Palestinian refugee community. A mechanism must be devised for the views of the host countries to be heard.

Lebanon has started a diplomatic campaign, which has made some progress. The Foreign Minister of France visited and France has taken a position in support of Lebanon. When Mr al-Hoss was at the UN in New York, he met Thomas Pickering of the US Administration; he was assured that a peace agreement would not come at the expense of Lebanon.

If President Arafat reached an agreement about the refugees which left out the right of return, Lebanon would not accept it and would ask for renegotiation. Such an agreement would cause a great deal of discord in Lebanon and would be very dangerous. There is a difference between Lebanon and the other countries which host refugee communities, for example Syria; Lebanon has a much smaller population and is a more pluralistic society, whereas the Syrian population is more homogeneous. In Jordan, for example, the Palestinians are integrated into Jordanian society.

The Lebanese constitution was amended in accordance with the Taif Accords. If some of the refugees remain in Lebanon, they will have the same status as any other foreign nationals and will be treated the same. The existing mechanism is bilateral talks between the PA and Israel, but this does not take Lebanon's views into account. In the peace process, we only hear about the Palestinian track, but the Syrian and Lebanese tracks must be handled simultaneously. Some of the issues in the final status talks are, from a Palestinian perspective, very difficult, including the issues of Jerusalem and borders. (Israel is still a country without borders.) The other problem is that the Palestinians have no bargaining chips. They used to have the *Intifada* and the non-recognition of Israel, but now they have nothing left to bargain with.

There is a danger of instability if 400,000 refugees are still in Lebanon with no solution. No one has consulted the organisations of the refugees themselves to find out what they want to do. Any agreement on the Syria-Lebanon track must include reference to the refugees.

The Israelis think the refugees are the responsibility of the world community, not theirs, but there will be no agreement without including the Palestinian track. Lebanon will not sign anything that did not include provision for the refugees. It will insist on recognition of their right of return. Israel is supported by the greatest power in the world; therefore, we must have equity in the negotiations. To ensure equity between the two sides, the US has to be more even-handed and Europe must play a more active role.

United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)

Introduction

Following the 1948 Arab-Israeli conflict, UNRWA was established by United Nations General Assembly resolution 302 (IV) of 8th December 1949 to carry out direct relief and works programmes for Palestine refugees. The Agency began operations in the area on 1 May 1950. While originally envisaged as a temporary organisation, the Agency has gradually adjusted its programme to meet the changing needs of the refugees. In the absence of a solution to the Palestine refugee problem, the General Assembly has repeatedly renewed UNRWA's mandate, most recently extending it in December 1998, until 30 June 2002.

UNRWA is a subsidiary organ of the United Nations. The Agency's chief officer, the Commissioner-General, is the only head of a United Nations body to report directly to the General Assembly. UNRWA's operations are also reviewed by an Advisory Commission which meets annually. Its membership consists of Belgium, Egypt, France, Japan, Jordan, Lebanon, the Syrian Arab Republic, Turkey, the United Kingdom and the United States. The Palestine Liberation Organization attends as an observer.

Services

UNRWA provides education, health, and relief and social services to the 3.7 million refugees registered in its five areas of operation, namely Jordan, Lebanon, the Syrian Arab Republic, the West Bank and Gaza Strip. Unlike other United Nations organizations, which work through local authorities or executing agencies, UNRWA provides its services directly to Palestine refugees. It plans and carries out its own activities and projects and builds and administers facilities such as schools and clinics. The Agency currently operates or sponsors over 900 installations with 22,000 staff throughout its area of operation. Because UNRWA services such as education and health are normally provided within the public sector, the Agency cooperates closely with governmental authorities in the area of operations, who also provide services to Palestine refugees.

Education is UNRWA's largest area of activity accounting for half its budget and two-thirds of its staff. UNRWA provides basic free education in 637 primary and junior secondary schools throughout its area of operations and three secondary schools in Lebanon. The curriculum is the same as that of the host authorities. Nearly 50 per cent of students are female. Eight vocational and technical training centres equip young refugees with marketable skills and a teacher training programme ensures sufficient qualified teachers for Agency schools.

UNRWA offers primary health care to registered refugees through a network of 122 outpatient facilities. Services provided include outpatient medical care, disease prevention and control, mother-and-child health, family planning advice and health education. UNRWA also offers help with secondary care, especially emergency and life-saving treatment through contractual arrangements with non-governmental and private hospitals or through partial reimbursement of treatment costs. In addition, the Agency operates a 43-bed hospital in Qalqiliya in the West Bank. Environmental health services for the

1.2 million camp residents include sewage disposal, management of storm water runoff, provision of safe drinking water, collection and disposal of refuse, and control of insects and rodents.

UNRWA supports Palestine refugee families unable to meet their own basic needs and helps to promote the self-reliance of the refugee community through community social development. In 1999-2000, direct material and financial assistance including food was provided to some 207,150 refugees (or 5.5 per cent of total registered refugees) without identifiable means of financial support to cover food, shelter and other basic needs. UNRWA provides technical and financial support to 128 locally-managed women's programmes, community rehabilitation and youth activities centers.

UNRWA's Income Generation Programme aims to create sustainable job opportunities in the West Bank and Gaza Strip through the provision of working capital loans at commercial interest rates to micro-enterprises, small business, and to women in the solidarity group lending scheme. Since its inception in 1991, the programme has provided more than 33,000 loans at a total value of more than \$48 million, achieving a repayment rate approaching 100 per cent. In the Gaza Strip, where the Agency's income generation efforts are concentrated, the programme is the largest and most successful of its kind and is self-financing.

Funding

The Agency's operations are financed almost entirely by voluntary contributions from governments and the European Union, which account for 95 per cent of all income. Most contributions are received in cash although 7% of income is received in kind, mainly as donations for food commodities for distribution to needy refugees. Four per cent of income is from other United Nations bodies to cover staffing costs, including the funding of 98 posts by the United Nations Secretariat. Unlike much of the United Nations System, UNRWA has no system of assessed contributions. In 2000, UNRWA's regular budget is \$300 million, although expenditure is expected to be much less because of cost reduction measures the Agency has been forced to introduce in response to funding shortfalls. Recurrent deficits over the last few years have left the Agency in an extremely difficult financial situation. While the Agency has managed to maintain its broad range of services, financial difficulties have threatened to erode the quality of services to refugees. Lack of funding has also prevented UNRWA from giving a general salary increase to its 22,000 Palestinian staff, leading to a deterioration in staff morale and the loss of some key staff to other organizations able to offer better remuneration.

Political issues (Questions 4, 5 and 6)

UNRWA's mandate is to deliver humanitarian and socio-economic assistance to Palestine refugees. It is not involved in peace negotiations. Palestinian community representatives, the host countries and the Palestinian leadership have underlined their view that the Agency should continue until a just settlement to the refugee issue is agreed and implemented. UNRWA will continue to provide services as mandated by the General Assembly, and is ready to assist with the implementation of a peace agreement concluded by the regional parties. UNRWA's future role would depend on the nature of any

agreement reached, and the views of the General Assembly.

UNRWA has been an element of stability during a half-century marked by political upheaval in the region. It is important at this crucial stage in the Middle East peace process that UNRWA continues to receive the necessary funding to enable it to carry out its mandate.

Peter Hansen, Commissioner-General

Medical Aid for Palestinians as an organisation

Medical Aid for Palestinians (MAP) is a British-registered NGO with Headquarters in London and Field Offices in Ramallah and Beirut. MAP was established in 1984 following the Sabra and Shatila massacre of Palestinian refugees in Lebanon. It was founded to provide humanitarian aid and medical assistance to Palestinians in Lebanon. MAP now focuses on training, health education, capacity-building and improving access to health services.

MAP's organisational principles

MAP is governed by a board of trustees, many of whom are founding members and have been actively involved in MAP's work in Lebanon and Palestine. MAP employs qualified international staff in London and the Field Offices. MAP works with local partners in Palestine and countries hosting Palestinian refugees, towards the improvement of health services for Palestinians and disadvantaged local communities. MAP works with both governmental as well as non-governmental organisations. MAP aims at expanding its reach to all Palestinian refugees and takes an inclusive approach to the needs and rights of disadvantaged communities in host countries in the Middle East. MAP also takes a holistic approach to health and the causes of ill health and frequently supports initiatives which aim at improving income generation and vocational training. MAP is committed to equality of opportunity and practices this in its work in the UK and in the Middle East.

MAP's goals

MAP's development objective is to improve the health of Palestinians and disadvantaged communities of countries hosting Palestinian refugees. MAP does this through improving health services – the quality and quantity of and access to health services – for the target group and capacity building of local health institutions. MAP uses staff training as a means towards its objectives as well as rehabilitation of health infrastructure, provision of supplies, community health education.

Refugees' views expressed to MAP

MAP works closely with Palestinian refugee communities in Lebanon and Syria and with Palestinians in Palestine. It is therefore familiar with the views of refugees.

In discussions, refugees frequently express their views on their aspirations and goals also concerning a final settlement. MAP does not claim to be representative of the views of this heterogeneous group. However, it appears that the right of return is a universal demand and goal among refugees of all age, gender and other backgrounds. This does not mean that different sections of the community would not have different aspirations for their practical future.

Some, probably the younger generation, might under certain circumstances prefer not to return to Palestine where their future would be no less insecure than in Lebanon or another country of exile. Generally, there is widely expressed and reported frustration with their past, current and potential future situation among refugees.

Mechanisms which enable refugees to express their preference

In any assessment of people's views, participative and qualitative approaches should be utilized. The Palestinian community in the diaspora is diverse and attention should be given to canvassing the views of the majority of refugees.

The Palestinian community in exile is a well developed group of "civil societies" with a variety of NGOs, camp committees and indigenous forums representing a cross-section of political beliefs. It is therefore encouraged that the views of such grassroots organisations should be sought.

The views of the most disadvantaged sections of the Palestinian community should be sought. That is the views of women, children, disabled people and the elderly who are generally neglected. Such views should be canvassed in a qualitative way so as to get comprehensive representation.

MAP and the right of return

MAP is non-political and non-sectarian with its main objective being the improvement of the health of Palestinians and other communities in neighbouring Arab countries. MAP has not embarked on advocacy and campaigning as its main activity. MAP recognises, however, that the political situation faced by Palestinians, and in particular Palestinian refugees, has a direct and powerful impact on their social and human development. MAP supports the Palestinians' right of return.

MAP has not written specifically on the right of return. However, MAP discusses the legal and political situation as well as the extremely difficult socio-economic and psychosocial situation of Palestinian refugees at various forums and occasions.

MAP believes that for refugees the right of return would mean the right to choose to return to their original home land and a recognition of the injustice done to them.

Annexes

Concept Paper

Introduction

In the period of negotiations of the Middle East Peace Process, the Joint Parliamentary Middle East Councils have convened an All Party Commission of Enquiry (henceforth the "JPMEC Commission") to the Middle East in September. They will conduct an enquiry into possible resolution of the Palestinian refugee situation, which has remained unresolved for over 50 years. In support of the search for a comprehensive peace settlement, the Members of Parliament will compile a report that reflects the views of the relevant actors to such a settlement: the refugee communities; the governments that have hosted them over the last 50 years; the international agencies that have sought to protect them; and the academics and experts in the areas of international refugee law and refugee studies who will brief the Commission on the legal and historical context.

They will be guided by two main principles, the first being derived from the historical and legal responsibility acknowledged by the international community towards those suffering in the continuing crisis. FCO Minister Peter Hain captured this sentiment, and articulated the first of the principles during a recent debate on the refugees in the House of Commons in November 1999:

Those involved should know that Britain acknowledges that the European Union and the United States especially have a responsibility to contribute to a solution of the refugee issue, as does Israel. Indeed, it is more than a responsibility – a moral and political duty is on us all. The Palestinian refugees are some of the most serious casualties of a post-second world war history largely shaped by – and many respects won by – the West. It is time for the world to redeem the debt owed to the Palestinians and by so doing, to create a lasting peace by which the security of all in the Middle East, especially Israel's, is guaranteed.

Second, the JPMEC Commission will also be guided by the principle of refugee preference. In order to establish refugee preference the Commission will travel to the region to seek the views of representatives of the refugee communities.

Background to the Refugee Crisis

After the First World War, Palestine had a population of approximately 700,000 out of which 56,000 (8% of the total) were Jewish. A proportion of this latter category were indigenous, Arab Jews. As a result of the persecution of the Jews in Western Europe, the next 30 years witnessed a struggle for land in Palestine, right up to the 1948 war which saw the establishment of the State of Israel. This era saw the Palestinian Arab population desperately seeking to assert their promised right to sovereignty (as defined by the League of Nations and the British Mandate), in the face of British resistance, and in the midst of the growing strength of the massive influx of Jewish immigrants fleeing the Nazi rise to power.

From the end of 1947 through the outbreak of hostilities in May 1948, the creation of the State of Israel and at the time of the ceasefire, as many as 800,000 Palestinians were exiled from their homes and sought refuge mostly in neighbouring Arab countries, staying close to the borders of Palestine. In 1951, the United Nations Conciliation Commission for Palestine estimated that

approximately 80% of the newly founded State of Israel was established on abandoned refugee land. Some estimates by experts have put the total percentage of Palestinian refugee owned property held by Israel at over 90%.

During the hostilities of 1967, Israel succeeded in occupying the remainder of Palestine, in the process expelling an additional 186,000 Palestinians. Many Palestinian refugees were even uprooted for a second time and fled the West Bank and Gaza Strip for neighbouring states.

Since 1950, the refugee land in Israel has been regulated by the Absentee Property Law that authorized the Israeli Land Development Authority to lease the land for small agricultural settlements. In recent years legislation has been initiated in Israel, which aims to finally sell the property to the private sector.

The Legal Sources of Palestinian Refugee Rights in International Law

One of the most striking aspects of the Palestinian refugee situation is the scale of the catastrophe. Present statistics of the Palestinian refugee population currently estimates them as two thirds of the worldwide Palestinian population. It was in the wake of the first wave of refugees, starting in the months before the 1948 Arab/Israeli war (moderately estimated at 350,000 people), that the central principle of the refugee right of return was set down in UN resolution 194. UN General Assembly resolution 194 was and remains the guiding principle on which policy of international community towards a durable and just solution to the status and future of the refugees, and its implementation has been consistently affirmed as the central tenet to a comprehensive settlement by the Security Council and the General Assembly. The resolution in part reads:

(The General Assembly)... resolves that 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, and that compensation should be paid for the property of those choosing not to return and for loss of, or damage to, property which under principles of international law or in equity, should be made good by the governments of authorities responsible.

These refugees have been legally defined by UNRWA, the UN agency which was established in the wake of the catastrophe to assist the refugees as the following:

(Palestine refugee) shall mean any person whose normal place of residence was Palestine during the period 1 June 1946 to 15 May 1948 and who lost both home and means of livelihood as a result of the 1948 conflict.

The continuing relevance of UN Resolution 194, with its principle of the refugees right of return as its central tenet lies in its direct and unambiguous solution to the tragedy of the refugees which was created by the course of the 1948 war. The resolution encapsulates the rights of individual refugees to have their homes, their nationality and their properties restored to them.

According to the second clause of paragraph 11 of Resolution 194, the formula has four components: repatriation, resettlement, economic and social rehabilitation and compensation. The JPMEC Commission will seek to elicit the views of refugees about how they practically envision their rights being enacted; with particular attention to final status negotiations. They will investigate these four components in light of the traditional arguments against their immediate implementation, seeking to outline available mechanisms and guidelines for possible solutions.

Guidelines for the Commission of Enquiry

The overall guidelines for the report will be the status and rights of the refugees as they exist in international law, combined with an attempt to establish how refugee communities themselves envisage these rights might be implemented during negotiations. The Joint Parliamentary Middle East Councils have always sought to support the effort for a comprehensive peace in the Middle East by promoting universal respect of human rights as the solid underpinning of any peace agreement. Accordingly, this enquiry will seek to reflect the various options for a resolution to the refugee problem, and will look at mechanisms through which Palestinian refugees can participate in this decision-making.

The intention of the final report, which will emerge from the Commission's findings, will be to outline the range of options against the set of legal rights, which currently form the basis of international consensus on the framework for a settlement of the Palestinian problem. The relevant UN Resolutions and principles of international law include the following sets of texts: UN Resolution 194 (1948) Statute of the Office of the High Commissioner for Refugees (1950) Convention relating to the Status of Refugees (1951) and its Protocol (1967) and the Universal Declaration of Human Rights (1948). In particular, the right of return has been established as the consensus of the International Community by being reconfirmed by the General Assembly over 100 times since 1948, and thus provides a valuable starting point.

The JPMEC Commission will be approaching the enquiry on the premise that the individual rights of refugees under international law are not affected by changes in sovereignty, the longevity of their exile or the dispersal of refugees throughout the world; nor can they be negotiated away by states party to a peace settlement; accordingly the Commission will be guided by the principle of Palestinian self-determination. The dangers of ignoring these basic premises have been highlighted by the refugees themselves, who have expressed an urgent concern about this in several recent authoritative documents and appeals.

Consultation with Refugee Communities

A prime goal of the enquiry will be to give Palestinian refugee communities the opportunity to articulate the options that they feel will sufficiently exercise their rights and which need to be considered as part of the final status negotiations. Any solutions that attempt to resolve the question of Palestinians refugees will have to satisfy the basic concerns of the communities themselves. In light of the lack of international protection that has existed for civil, economic and political rights of Palestinian refugees over the past 50 years, the JPMEC Commission regards refugee preference as critical to a successful solution to the refugee question. The role of the international community with regard to the Palestinian refugees since 1948 has been largely restricted to one of assistance through the role of UNRWA rather than the protection and restoration of refugee rights. This report will focus specifically on those rights and the options open to implement these rights.

Procedural Guidelines for the Commission

In order to complete the enquiry into Palestinian rights, the Commission will pursue the following procedural guidelines. Stage One will be obtaining evi-

dence from a wide range of refugee sources, at both institutional and individual levels. Before travelling to the Middle East, the JPMEC Commission will be inviting written evidence to be submitted to its Secretariat in London. This material will form the basis of discussions, and for the questions that the Commission will be putting to Palestinians and officials in the field (see introduction). Stage Two will be the Commission's trip to the region, where questions will be directed at the relevant witnesses, and when formal depositions by groups and by individuals will be gathered in both oral and written forms. Stage Three will be one of assessment and analysis. The Secretariat, aided by international lawyers and other experts, will begin to process, rank, and analyse the evidence gathered in August and September (as outlined above). The Commission has asked its Secretariat to seek the assistance of experts to brief its members, who will be asking for written and oral submissions. To this effect, a two-day meeting will be held at Oxford University, where consultations and briefings will help the Commission in verifying and analysing the material submitted to it. The meetings will also assist in the preparation and structuring of the Report itself, which will be written by the Commission after this event. The final stage (Stage Four) will be to bring the findings of JPMEC Commission's report to the relevant actors to the peace process: the Palestinian National Authority and the Israeli government. The Commission and its Secretariat will seek a wide dissemination of the Report and its findings at this stage, to European and National Parliaments, and the various European ministries.

The Role of the International Community

The JPMEC Commission is embarking on this project with a view to a revitalization of the debate in the UK and Europe surrounding the Palestinian refugees, and the issue of their position under international law. Refugees have expressed legitimate fears that, over the course of negotiations in recent years, their individual rights (specifically the right of return), have been gravely undermined by the interim arrangements agreed. This view is supported by the fact that since 1993 the US has abstained on UN resolution 194, giving the impression that the refugee situation should be resolved through negotiations between the parties, regardless of their rights.

As politicians and members of a Parliament that has strong traditional expertise and links with the Middle East (particularly with Palestine), the members of the Commission feel well placed to provide the relevant actors to the peace process with a fresh look at the main issues relating to Palestinian refugees.

Conclusion

The overall purpose of the enquiry is to investigate possible ways in which refugees' rights under international law might be exercised in the context of final status negotiations. At the outset of this enquiry the JPMEC Commission is conscious of the scale, complexity and sensitivity of the situation facing the 3.6 million Palestinian refugees scattered throughout the world; they believe that the role of international mechanisms and legal frameworks will be crucial in providing the tools for achieving a lasting and just solution.

The Commission is setting out with an understanding that the Palestinian refugee crisis, which has lasted for over 50 years, is the key problem as yet

unaddressed by all parties to the conflict. Equally, they understand that for any chance of a peaceful solution to be negotiated by the relevant parties, and for such a solution to obtain adherence by those parties, this outstanding matter must be tackled in all its aspects. The JPMEC Commission undertakes to seek both positive and creative proposals, which will be grounded in international law and appropriate democratic mechanisms, in order to provide a source for future discussions on this most urgent issue in the Middle East peace process.

Questions to refugees

The following is a list of questions formulated to guide refugees/organizations when they came to submit evidence.

1. *What type of organisation are you (grass roots, community, union, school, political, cultural etc)?*
2. *What are your organisational principles (elected members or not, paid or unpaid, the mandate to operate, the areas you cover)?*
3. *What are the goals of your organisation (education, welfare, networking, economic or social development, solidarity, empowerment, charity, social work, rights enfranchisement, defence of professional or political interests)?*
4. *Based on international law and UN Resolution 194, Palestinian refugees have a right to choose among the following three options for a durable solution of their problem. Which one do you prefer:*
 - * *return to and restitution (as much as possible) of your original homes and properties, and compensation;*
 - * *absorption in you current host country and compensation;*
 - * *resettlement in a different country and compensation.*
5. *How representative do you consider the views of your organisation to be?*
6. *Have you discussed, within your organisation and with members of it, the right of return and what this would mean in practical terms?*

United Nations General Assembly Resolution 194 (III)
Palestine – Progress Report of the United Nations Mediator

The General Assembly,

Having considered further the situation in Palestine,

1. Expresses its deep appreciation of the progress achieved through the good offices of the late United Nations Mediator in promoting a peaceful adjustment of the future situation of Palestine, for which cause he sacrificed his life; and

Extends its thanks to the Acting Mediator and his staff for their continued efforts and devotion to duty in Palestine;

2. Establishes a Conciliation Commission consisting of three States members of the United Nations which shall have the following functions:

(a) To assume, in so far as it considers necessary in existing circumstances, the functions given to the United Nations Mediator on Palestine by resolution 186 (S-2) of the General Assembly of 14 May 1948;

(b) To carry out the specific functions and directives given to it by the present resolution and such additional functions and directives as may be given to it by the General Assembly or by the Security Council;

(c) To undertake, upon the request of the Security Council, any of the functions now assigned to the United Nations Mediator on Palestine or to the United Nations Truce Commission by resolutions of the Security Council; upon such request to the Conciliation Commission by the Security Council with respect to all the remaining functions of the United Nations Mediator on Palestine under Security Council resolutions, the office of the Mediator shall be terminated;

3. Decides that a Committee of the Assembly, consisting of China, France, the Union of Soviet Socialist Republics, the United Kingdom and the United States of America, shall present, before the end of the first part of the present session of the General Assembly, for the approval of the Assembly, a proposal concerning the names of the three States which will constitute the Conciliation Commission;

4. Requests the Commission to begin its functions at once, with a view to the establishment of contact between the parties themselves and the Commission at the earliest possible date;

5. Calls upon the Governments and authorities concerned to extend the scope of the negotiations provided for in the Security Council's resolution of 16 November 1948 1/ and to seek agreement by negotiations conducted either with the Conciliation Commission or directly, with a view to the final settlement of all questions outstanding between them;

6. Instructs the Conciliation Commission to take steps to assist the Governments and authorities concerned to achieve a final settlement of all

questions outstanding between them;

7. Resolves that the Holy Places – including Nazareth – religious buildings and sites in Palestine should be protected and free access to them assured, in accordance with existing rights and historical practice; that arrangements to this end should be under effective United Nations supervision; that the United Nations Conciliation Commission, in presenting to the fourth regular session of the General Assembly its detailed proposals for a permanent international regime for the territory of Jerusalem, should include recommendations concerning the Holy Places in that territory; that with regard to the Holy Places in the rest of Palestine the Commission should call upon the political authorities of the areas concerned to give appropriate formal guarantees as to the protection of the Holy Places and access to them; and that these undertakings should be presented to the General Assembly for approval;

8. Resolves that, in view of its association with three world religions, the Jerusalem area, including the present municipality of Jerusalem plus the surrounding villages and towns, the most eastern of which shall be Abu Dis; the most southern, Bethlehem; the most western, Ein Karim (including also the built-up area of Motsa); and the most northern, Shu'fat, should be accorded special and separate treatment from the rest of Palestine and should be placed under effective United Nations control;

Requests the Security Council to take further steps to ensure the demilitarization of Jerusalem at the earliest possible date;

Instructs the Conciliation Commission to present to the fourth regular session of the General Assembly detailed proposals for a permanent international regime for the Jerusalem area which will provide for the maximum local autonomy for distinctive groups consistent with the special international status of the Jerusalem area;

The Conciliation Commission is authorized to appoint a United Nations representative, who shall co-operate with the local authorities with respect to the interim administration of the Jerusalem area;

9. Resolves that, pending agreement on more detailed arrangements among the Governments and authorities concerned, the freest possible access to Jerusalem by road, rail or air should be accorded to all inhabitants of Palestine;

Instructs the Conciliation Commission to report immediately to the Security Council, for appropriate action by that organ, any attempt by any party to impede such access;

10. Instructs the Conciliation Commission to seek arrangements among the Governments and authorities concerned which will facilitate the economic development of the area, including arrangements for access to ports and airfields and the use of transportation and communication facilities;

11. Resolves that 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, and that compensation should be paid for the property of those choosing not to return and for loss of or damage to property which, under

principles of international law or in equity, should be made good by the Governments or authorities responsible;

Instructs the Conciliation Commission to facilitate the repatriation, resettlement and economic and social rehabilitation of the refugees and the payment of compensation, and to maintain close relations with the Director of the United Nations Relief for Palestine Refugees and, through him, with the appropriate organs and agencies of the United Nations;

12. Authorizes the Conciliation Commission to appoint such subsidiary bodies and to employ such technical experts, acting under its authority, as it may find necessary for the effective discharge of its functions and responsibilities under the present resolution;

The Conciliation Commission will have its official headquarters at Jerusalem. The authorities responsible for maintaining order in Jerusalem will be responsible for taking all measures necessary to ensure the security of the Commission. The Secretary-General will provide a limited number of guards to the protection of the staff and premises of the Commission;

13. Instructs the Conciliation Commission to render progress reports periodically to the Secretary-General for transmission to the Security Council and to the Members of the United Nations;

14. Calls upon all Governments and authorities concerned to cooperate with the Conciliation Commission and to take all possible steps to assist in the implementation of the present resolution;

15. Requests the Secretary-General to provide the necessary staff and facilities and to make appropriate arrangements to provide the necessary funds required in carrying out the terms of the present resolution.

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