

Source: Gilead Sher, *The Israeli-Palestinian Peace Negotiations, 1999-2001: Within Reach* (London: Routledge, 2006). pp. 247-250.

Israeli draft of the Framework Agreement on Permanent Status

Internal Working draft of the Negotiation Team
Introduction and Sections 1-2: Negotiated (updated Sept. 1, 2000); Sections 3, 4, and
Annex 4: As read to, and discussed with the Palestinians (up to Sept. 1, 2000);
Remainder: Internal – based on the internal draft and on talks with the Palestinian
negotiators

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Article 6 – Refugees

71. The parties are cognizant of the suffering caused to individuals and communities on both sides during and following the 1948 War. Israel further recognizes the urgent need for a humane, just, and realistic settlement to the plight of Palestinian Refugees within the context of terminating the Israeli-Palestinian conflict.

72. A resolution of the Palestinian refugee problem in all its aspects will be achieved through an international effort with the participation of, as appropriate, the Arab States, the European Union, the United States, and the rest of the international community. Israel, in accordance with this Article, will take part in this effort.

73. The termination of Palestinian refugee problem shall incorporate possible return to the State of Palestine, integration within the Host Countries, and immigration to other third countries.

74. In light of the new era of peace, the Palestinian Party recognizes that the Right of Return of Palestine refugees shall apply solely to the State of Palestine. Israel recognizes the right of Palestinian refugees to return to the state of Palestine.

75. Israel shall, as a matter of its sovereign discretion, facilitate a phased entry of [XX] Palestinian Refugees to its territories on humanitarian grounds. These refugees shall be reunited with their families in their present place of residence in Israel, accept Israeli citizenship and waive their legal status as refugees.

76. An International Commission (Commission) shall be established. Canada, the European Union, the Host Countries (Jordan, Syria, Lebanon, and Egypt), Japan, Norway, the State of Palestine, [the PLO], the Russian Federation, the United Nations, the United States and Israel shall be invited to participate therein. Special attention will

be given to the special role of the Hashemite Kingdom of Jordan with respect to the Palestinian Refugees within its borders.

77. An International Fund (Fund) shall be established and supervised by the Commission and the World Bank. The Fund shall be managed as an international financial institution ensuring transparency, accountability, and due process. It will collect, manage and disburse the resources pertaining to the rehabilitation of and compensation to Palestinian refugees.

78. The objective of the Commission and the Fund is to provide for a comprehensive and conclusive settlement of the Palestinian Refugee Problem in all its aspects.

79. The Fund shall establish and manage a Registration Committee in order to compile a definitive and complete register of property claims of the refugees due to the 1948 War. The modalities, criteria, timeline, and procedures of the registration of claims, their verification and *pro-rata* evaluation shall be drawn up as appropriate by agreement upon the establishment of the Fund and within its framework.

80. The Parties affirm that the register of the claims verified by the Registration Committee shall constitute the definitive statement of all Palestinian refugee's property claims.

81. Every Palestinian refugee-household that became a refugee in 1948 or its direct descendants may, within an agreed period, submit one sole claim due to the 1948 War to the Registration Committee for the purpose of compensation for its property. No further individual claims may be filed beyond the agreed date.

82. The Parties agree that a just settlement of the Israeli-Arab conflict should settle the claims by Jewish individuals and committees that left Arab countries or parts of Mandatory Palestine due to the 1948 War and its aftermath. An international mechanism affiliated with the above Commission and Fund will be established to deal with such claims.

83. The rehabilitation of refugees in their current places of residence or their relocation to their new places of residence shall be carried out on the basis of comprehensive Programs for Development and Rehabilitation (PDRs). The PDRs will be concluded between the omission, the Fund and the relevant country with the aim of enabling the refugee to rebuild his life and the life of his family.

84. The PDR shall provide for gradual elimination of the formal and practical aspects of the refugee problem including the phased withdrawal of UNRWA within ten years and the transfer of its responsibilities to the Host Country, the provision of full personal-legal status to all refugees that wish to live in such Host Country and the settlement of its national refugee-related claim.

85. The Parties shall call upon the international community to support the permanent settlement of the Palestinian refugee problem by defining a Lump Sum [of XX] and to

develop immigration options for those refugees wishing to immigrate to third countries. The Lump Sum shall provide for all the financial requirements for the comprehensive and final settlement of the Palestinian refugee problem including those of rehabilitation and all individual or collective claims.

86. Eligibility of a claimant for property compensation shall be proportionate, limited by and subject to, the resources accumulated by the Fund as well as by allocations to rehabilitation programs. Transfer of compensation to a claimant shall be conditioned by such claimant's waiver of further proprietary claims.

87. The Parties call upon the international community convene a conference for that purpose.

88. In the context of and within such international pledge, Israel will address the issue of a financial annual contribution of XX for XX years.

89. The mandate of the Fund and the Commission shall be concluded between the Parties in the CAPS based on this Article.

90. The Commission, the Fund and the State of Palestine shall design and implement a PDR for the permanent resolution of the Palestinian refugee problem in the State of Palestine within ten years of the conclusion of the CAPS. The State of Palestine shall view the implementation of this program as a final settlement of its national claim in this respect.

91. UNRWA records shall be the main basis for the implementation of this Article. Records from other relevant sources shall be subject to the Commission's scrutiny and approval.

92. The wishes and claims of the Palestinian refugees shall be taken into account to the extent and manner agreed between the Parties in the FAPS and the CAPS.

93. The timeline for the implementation of this article is provided for in Annex XXX.

94. Israel shall have no further commitment or obligation emanating from the Refugee issue beyond those specified in this Agreement.

95. The implementation of this Article and the completion of the Commission's work as described in paragraph (X) shall resolve the Palestinian refugees problem in a permanent way thus amounting to the implementation of all relevant international resolutions.

96. The Parties encourage the Refugee Multilateral Working Group to continue its work on the basis of its agreed terms-of-reference specifically focusing on those individuals who personally became refugees during the 1948 War.

- Nothing is Agreed Until Everything is Agreed -
TBC – To Be Completed