

al majdal

ISSUE NO.7 ~ SEPTEMBER 2000



al majdal aims to raise public awareness and support for a just solution to Palestinian residency and refugee issues

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IN THIS ISSUE



This was the message conveyed by more than 10,000 refugees and internally displaced Palestinians in five Right-of-Return Marches and Rallies held simultaneously in Palestine, Lebanon, London, and Washington DC between 15 - 17 September 2000.

In Haifa, more than 800 internally displaced Palestinians, representatives of Palestinian political parties, NGOs and Palestinian MKs marched on Friday, 15 September from the city center towards Haifa's historical Palestinian Arab neighborhoods, whose houses - home to many Palestinian refugees - have remained expropriated by Israel until today. The demonstrators chanted slogans such as: "from Haifa to Beirut, we are a living nation that will never die", and other people carried placards with the names of the 530 destroyed Palestinian villages.

Palestinian refugees in the 1967 Israeli occupied West Bank followed on Saturday, 16 September when some 3,000 Palestinian refugees in the 1967 Israeli occupied West Bank held Right-of-Return Marches in Balata

HALT SRAELI MASSACRES against PALESTINIAN CIVILIANS! CALL FOR INTERNATIONAL PROTECTION

As of press time more than 75 Palestinians, including several children, have been shot dead by Israeli forces during demonstrations that followed MK Ariel Sharon's provocative visit to the *Haram ash-Sharif* compound in Jerusalem on Thursday, 28 September 2000. According to Defence for Children International/Palestine Section, around 2,000 Palestinians have been injured, among them over 600 children. The continued use of rubber-coated bullets and live ammunition against unarmed civilian demonstrators, and the absence of appropriate international measures to pressure Israel into compliance with international human rights standards, provides further evidence about the lack of international protection afforded to Palestinians, including refugees. see p.20-21

For more on the lack of international protection and its consequences, see the feature section in this issue on massacres, war crimes, and crimes against humanity. see p.21-26

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for Palestinian Residency and Refugee Rights

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"NO PEACE without THE RIGHT OF RETURN!"

Statement issued by Refugee Institutions and Popular Refugee Initiatives Southern West Bank, Palestine

Everything has been in motion in the camps of the Palestinian exile, from the early times of the house, the carob, and the beauty of Palestine, through fifty years of massacres and patience, until the moment of the angry decision, when we raise the key of return as the symbol of blood, fire and determination. Our identity will not be diffused by strangers and aggressors who came with their misconceptions, killing and settlements. Our memory will not be buried by normalization and half-solutions that represents nothing but loss and defeat. The Palestinian refugee camp continues to remember everything; it knows everything; it is moved by its martyrs and its tales. The land talks with the camp, and the skies call out for it.

Today the camp is flourishing in the garden of blood, which has grown thorns for the throats of the killers. Here is Sabra, ready to implement the prophecy of the martyrs, who have returned with the stone and the gun; there is Shatila, rising from the darkness to expose the criminals who stole the moon from its sky - and it will never forgive.

The camp will decide in the battlefield and at the negotiation table, in the United Nations, and in the arena of the New World order. It is the source of war and peace. The camp says: "The blood of our martyrs is not for sale, neither for compensation funds nor for the charity of donor countries. We will never be deceived by the slogans calling for coexistence and resettlement, and by solutions which, in the name of so-called realism, accept our humiliation by the arrogance of force and war." The camp also says: "We do not know any solution but the return of our children to the homeland of their dreams and their ancestors, to their land and their olive trees. The future is for us," says the camp, "for the generations who have not forgotten the names of their villages and have remained tied to their soil, which is still waiting in historical Palestine."

The camp does not hate a peace that does not surrender the national cause, and a peace that will not tear apart its people by means of restricted family reunification schemes. A fair and comprehensive peace does not plant a settlement on land, which is waiting for its children to return, the keys to their homes in its hand, and homes, graves and songs in its chest. A fair peace does not leave the killers of Sabra and Shatila, Deir Yassin, Kufr Qassem, al-Dawayma and al-Tantoura without judgment by an international tribunal, in which fifty years of alienation, hunger, displacement and death on the wires of the borders will serve as witness.

The camp will decide - and it is warning of the consequences of a final solution of the conflict, which will not guarantee its historical right to return to the original homeland. This right, legitimate and sacred, accompanied by human anger will bring to fall all formulas and calculations that do not respect the human right to live on one's own land, in one's own home, freely and without restrictions and enslavement. The camp knows the future, and it can read the message of the refugees' stones and the dreams of their children.



POTO: Deheisshe Right of Return March
15/9/2000

Camp (Nablus), and in Bethlehem where a new "Memorial for the Victims of the Massacres at Sabra and Shatila and the Palestinian Exile", was established in Aida Camp on a plot provided by the Islamic Waqf. The marches, organized by popular refugee organizations, were joined by Palestinian parliamentarians (PLC), representatives of political parties, public institutions and NGOs.

In Lebanon a photo exhibition of the 1982 massacre at Sabra and Shatila was opened on 13 September in Shatila camp. On Friday, 15 September, several thousand Palestinian refugees were joined by some 200 Italian human rights activists, parliamentarians, and journalists in 'Ain al-Hilwe camp to call for the right of return. The following day the Italian delegation joined Palestinian refugees in Shatila along with several thousand Lebanese supporters for a march to the site of the massacre. Two days later, the delegation joined in a candle light march to commemorate the massacre at Sabra and Shatila.

In Washington DC Palestinians and supporters of the right of return from around the United States and Canada participated in a Right-of-Return March on 16 September. Some 4,000 participants marched up Pennsylvania Avenue and held a rally at Lafayette Park in front of the White House. The Right-of-Return March, organized by al-Awda, and co-sponsored by more than 100 organizations, was part of a weekend of events which also included a symposium on Palestinian activism and a demonstration at the Israeli Embassy.



In London approximately 2,000 people marched from Westminster Abbey to a Right-of-Return rally organized by al-Awda and some 40 co-sponsors in Trafalgar Square on September 16. Walking behind a banner reading, "5.3 million Palestinians Demand the Right to Return Home",

participants chanted: "Washington, London, Deheishe, Balata, we are marching home ... Haifa, Shatila, Aida, Fatme, we are marching home." Statements of support included those from several members of the British Parliament.

Statements: *Right of Return* Rallies, 15 - 17 September

LONDON

Trafalgar Square Right of Return Rally

Speech by Dr. Tikva Honig-Parnass (excerpts)
Co-Editor of Between the Lines
(former editor of News From Within)

My generation was raised in pre 1948 Palestine on the colonialist ideology of the Zionist labor movement and passed through an indoctrination process which resulted in the dehumanization of Palestinians and ourselves as well. Blatant racism, combined with total commitment to the mission of establishing an exclusive Jewish state in Palestine, had trained us well to take up the challenge set forth in the '48 war. We were prepared by then to commit the crime of the expulsion of the Palestinians from their homeland with cruelty and indifference, while at the same time claiming adherence to the values of socialism and fraternity between nations. I was eyewitness to the "cleansing" of the Har Tuv area (South West Jerusalem) by a battalion of the Palmach - the Zionist Labor elite army. The long conveyors of villagers from Beit Jibrin, Zakariyya, Beit Natif, and Beit Itab [now in Deheishe, 'Aida and 'Azza camps] who were escaping to save their lives, did not stir any feelings of mercy or compassion in our by then obstinate, hardened hearts. Nor did the scene of starving children and women, begging the soldiers to let them return to their homes (only a few days after they were forced to leave them) raise any human reaction among us. We understood well that the Zionist vision of a Jewish state necessitated the expulsion of the Palestinian people. [...] In the proposed final solution of the Labor government, now headed by Barak, there is no recognition of the Right of Return, precisely because this solution is designed to liquidate the refugee question - which is the essence of the Palestinian national question. The final settlement thus aims to complete the unfinished task of Zionism. Namely, to prevent the liberation and unification of the Palestinian People in their homeland, disintegrate the refugees throughout the diaspora and remove the national question from the topic of discussion, and indeed from world consciousness. What is known as the "Israeli Peace Camp", consists of the ideological successors of the generation that committed the Nakba, and who now comprises the new bourgeois class that supports this final solution objecting fiercely to recognizing the Right

of Return. Now they are using their support of a client Palestinian state as a pretext for their "generosity" in accepting an "historic compromise" which will put an end to the Palestinian-Israeli conflict. However, the internal contradictions which underlie this solution as well as any other which ignores the Palestinian refugees' right to return to their lands in their homeland is doomed to fail. The tens of thousands who have been responding to the call of the Al 'Awda movement, including a group of anti-Zionist Jews, demonstrates that the forces of resistance to the American-Zionist scheme may indeed increase to threaten the apartheid reality in Palestine and the aspired "stability" throughout the entire region.

Speech by Arjan El Fassed (excerpts)
al-Awda - Right of Return Coalition



PHOTO: (al-Awda): London Right of Return Rally

PEACE NOW Position on the Right of Return

Excerpts from IMRA Interview by Aaron Lerner, 29 August 2000

We don't support a right of return. What we say and what we believe is that the Palestinians clearly have the right to a law of return, such as we have, in the Palestinian state and we would assume and hope that the refugee issue be resolved within the confines of the Palestinian state, with the possibility of some family reunifications for refugees in Israel. But we are a Zionist movement and do not support the idea of the return of the refugees to Israel. I think it is very clear why. [...]

There is no way that Israel under any government is going to take back a million or two million or three million Palestinian refugees. We won't do it. We want to remain a Jewish state and it's not going to happen.

UN Committee on Economic, Social and Cultural Rights on the Right of Return (Concluding Observations/Comments) 04/12/98. E/C.12/1/Add.27.

13. The Committee notes with concern that the Law of Return, which permits any Jew from anywhere in the World to immigrate and thereby virtually automatically enjoy residence and obtain citizenship in Israel, discriminates against Palestinians in the diaspora upon whom the Government of Israel has imposed restrictive requirements that make it almost impossible to return to their land of birth.

36. In order to ensure the respect for article 1(2) of the Covenant and to ensure the equality of treatment and non-discrimination, the Committee strongly recommends a review of re-entry policies for Palestinians who wish to re-establish domicile in their homeland, with a view to bring such policies to a level comparable to the Law of Return as applied to Jews.

"They stripped me of everything; except a heart, a conscience and a tongue," these are the words written down by famous Palestinian poet Tawfiq Zayad. Today, we are here to break the silence and to show our hearts, our conscience and our tongues. Nothing will be able to shake our will and determination to return home. It is a right bequeathed from generation to generation. It is a right that we are reminded of daily from the walls of the refugee camps scattered though Palestine and the Diaspora. It is a right for which many martyrs have died and it is a right preserved in the rusting keys and documents that prove to the world that the land and homes belong to its owners. Finally, it is a right that has been enshrined in international law and human rights standards. Today, we break the silence and we let Clinton, Barak, and Arafat know that whatever they agree upon or whatever they sign, there won't be peace without our return. The right of Palestinian refugees to return home is a personal and collective right that cannot be cancelled - whatever the balance of power, whoever signs. [...] There is always a strength that can be created out of dignity, courage, and the inspiration of a common cause, and that if enough people put their minds and bodies into that cause, they can overcome. Today is not the only day we make our voices heard, we will continue to make our voices heard until the day we are allowed back to our homes. When people get incensed by injustice, surprises appear. There have been surprises before in Vietnam, India and South Africa. Indeed, it is our turn to do the surprising. There is much we can all do. We hold the past, the present and the future and we will do whatever is necessary to achieve our return and determine our own future. We owe it to our ancestors and our children. We will return home.

Speech by Afif Safieh (excerpts)
Palestinian General Delegate to the United Kingdom and the Holy See

The Israeli political establishment inflicted on us Palestinians four types of denials. First came the denial of our mere existence. Then followed the denial of our rights, all this always accompanied by the denial of our sufferings and the denial of their moral and historical responsibility for this suffering. Dear friends, these four denials are equally as disturbing, as outrageous, as revolting and as nauseating as other denials that have legitimately provoked indignation and revulsion. [...] There is no need for comparisons and historical analogies. No one people have a monopoly on human suffering and every ethnic tragedy stands on its own. If I were a Jew or a Gypsy, the Holocaust would be the most atrocious event in history. If I were a Black American, it would be Slavery and Apartheid. If I were a Native American it would be the discovering of the New World by European explorers and settlers that resulted in near total extermination. If I were an Armenian, it would be the Ottoman massacres. If I was a Palestinian, and I happen to be one, it would be the Nakba, the outcome of a deliberate early version of a Milosovich-style policy of ethnic cleansing. WE happen to believe that the "Never Again", that pledge of humanity after two world wars also applies to us Palestinians. The Germans have apologized and reapologized to the Jews. King Juan Carlos has apologized for the Spanish Inquisition. Her Majesty the Queen of England has apologized to the Aborigines of Australia. We do believe that somebody, one day, hopefully soon, owes us also historical apologies. Dear friends, we are gathered here today to remind the world that the question of Palestinian refugees never was nor ever will be a mere question of resettlement somewhere in the periphery of their homeland, sometimes cruelly only at a walking distance from their homes. Any peace that will not result in the exercise of the free voluntary volition of each individual refugee of his or her right of return will neither have legitimacy nor will it have viability and durability.



PHOTO (alAwda): London
Right of Return Rally

WASHINGTON DC
Lafayette Park Right of Return Rally

Speech by Naseer Aruri (excerpts)
Trans-Arab Institute - TARI

We have come here to deliver a message to the people of the United States, to the President of the United States, and to the Congress of the United States: Let the Palestinians Return! [...] We also came here as a diverse group - Arabs, Jews, Americans, Afro-Americans, males and females, united and actuated by a conviction that it is not enough to recognize the connection between peace and the right of return, peace and the refugees. We have to remind ourselves, and remind others, that the refugees are not only the 3.7 million who are registered with UNRWA and scattered in about 60 camps in four Arab countries. The refugees and the right of return include the entire Palestinian diaspora, which constitutes 67.7% of the 8 million Palestinians in the world - nearly 5 and a half million people in all. Refugees, lest we forget, also include those thousands who live in the area on which the Jewish state was set up in 1948. They are internal refugees. They can see their land, but can't live on it or make use of it. They are what Israel refers to as "present-absentees". The linguistic gimmickry in Israel seems to have no bounds. There are also unrecognized villages in Israel today, and their inhabitants qualify for the status of refugees. And let us not forget, that even as we speak, new refugees are being created. Israel's campaign of ethnic cleansing in and around Jerusalem has been ongoing since 1967, and not only in 1948. [...] Let us not ever lose sight of the need to work together. We are together today in ways we haven't seen for a long, long time. We have a new grassroots movement, which we must nourish. This rally cannot be an end in itself. Let this rally be a RENEWAL and a RE-ENERGIZER. [...] Let it be an energizer for our collective efforts to expose the charade, and to ring the bells of return and to ring and ring until we return. The important thing about a right of return demonstration is that it should be inclusive of ALL issues having to do with Palestine. [...] The essence is the LAND (Al-Ard), and the land needs to be nourished by the other THREE - WUJOD (Presence), SUMOUD (Steadfastness), AWDA (Return). And in this regard, let me conclude with two lines from a poem by a dear friend - the late Rashed Hussein: "Ana al-Ard (I am the land), La tahrmani al-Mater (do not deny me the rain).



PHOTO: Washington DC Right of Return Rally.

Speech by Allegra Pacheco (excerpts)
Israeli lawyer and activist

For the past seven years, I have struggled with the Palestinian people in the Occupied Territories defending them in the Israeli Supreme Court and military courts - attempting to stop their torture, release them from Israeli prisons, prevent their homes from demolition and their land from confiscation. And I have found in my work that more than 3/4 of the Palestinian prisoners comes from Palestinian refugee camps and more than 1/2 interrogated and tortured by the Israeli security authorities were refugees. It is the Palestinian refugee, who until today continues to struggle for Palestinian dignity and liberation and who unlike others has and never will compromise on return to Palestine. [...] I am here to say that there is a solution to the refugee issue - And it isn't Oslo. And it isn't an international fund or family reunification of 50,000 out of five million refugees. And it isn't return to today's ghetto of Gaza or a West Bank bantustan. The solution is Awda, complete and unrestricted return to Palestine, all of it from the Jordan River to the Mediterranean Sea. When I say this, my Israeli Jewish colleagues respond, "But if they all return, We will lose our Jewish majority and our Jewish character of the state." And others say to me, "If they come back to here, where will I live?" And I respond quite simply, I say, that the answer is democracy and equality. Today, ethnically based or race-based states are a thing of the past. From Bosnia, to South Africa, and even our Jim Crow Southern states we have all seen how these types of regimes foster divisions, hatred, violence and endless suffering for men, women, and children. And you and I have seen such suffering in Israel/Palestine because of these state-sponsored

divisions. It is time to put an end to this. [...] Today in Israel/Palestine, we are not facing peace but apartheid. I appeal to all of you to call this bluff once and for all and demand true justice, real peace and in the spirit of the civil rights movement's march on Washington, equal rights for all. My friends, I am talking about the call for the establishment of a democratic secular republic in all of historical Palestine - from the Jordan River to the Mediterranean Sea. A republic where citizenship will be based on residency and not in accordance with religious or ethnic affiliation. A republic where rights will be accorded equally to all citizens no matter his/her background. [...] This my friends is the only solution for the Palestinian refugee.

Note: The speeches above represent a sample of the speeches given during the Right-of-Return Marches and Rallies available at press time.

More information on the marches can be found on the al-Awda website (<http://al-awda.org>) and for activities in London (www.ataha.com/londonrally/)



AFTER the RALLIES - WHERE TO GO FROM HERE?

Palestinian Refugees Discuss with Dr. Salman Abu Sitta (Balata, Kalandia, Al-Arroub, Aida camps, West Bank, 2-4 September): In continuation of the public debate with Dr. Salman Abu Sitta launched in 1999, BADIL facilitated, one year later, a series of follow-up discussions with the Palestinian researcher. The comparison of the comments and questions raised by the refugee public in both occasions indicates that by the year 2000, the refugee community in 1967 occupied Palestine is more aware of its rights and has gained confidence in the practical-ity of its right of return to homes and properties in Israel. "What is to be done?", and, "How to set up proper mechanisms for the protection of collective and individual refugee rights?" are the questions which dominate the discussion between the refugee community and its experts today much more than in the past. Along this line, refugee community activists, members of the BADIL Friends Forum, decided to serve as the Preparatory Committee-West Bank for the initiative of establishing a "Palestinian Land Society", and to seriously study - in cooperation with Dr. Salman Abu Sitta - perspectives and mechanisms of this body which should represent Palestinian owners of rights in their future legal struggle.



PHOTO: Public meeting with Dr. Salman Abu Sitta, 'Aida Camp (Bethlehem)

Reviving Popular Refugee Conferences - Election of a High Refugee Council:

Current Palestinian and international right-of-return organizing was triggered, not to a little extent, by the popular initiatives for the defense of Palestinian refugee rights launched as a response to the Madrid-Oslo process by internally displaced Palestinians in Israel and refugees in 1967 occupied Palestine between 1995-96 (See BADIL Brief No. 3). Principles and guidelines for the current right-of-return campaign in Palestine were provided by three major popular conferences (Nazareth 1995; Deheishe and Gaza 1996). In 1967 occupied Palestine, these conferences failed to achieve their aim of electing popular refugee councils for several reasons, among them fear of political conflicts with the new Palestinian Authority and the PLO, and due to partisan intervention.

Now, four years later, refugee rights activists involved in the major refugee institutions in Palestine feel stronger and ready to make a renewed effort. Some 100 representatives of popular refugee unions (Union of Youth Activity Centers, Union of Women's Activity Centers), the Popular Service Committees, the Society for the Defense of the Rights of Internally Displaced in Israel, as well as local refugee committees, societies organizing refugees based on their villages of origin and BADIL, followed the invitation of the Palestinian Legislative Council's Refugee Subcommittee to a meeting at the Women's Activity Center in Shu'fat camp/Jerusalem on 6 September 2000. Participants discussed the mechanism required for the revival of the popular conferences and issued the following decisions:

1. To re-launch the initiative of popular refugee conferences which will express the popular demand for the implementation of refugee rights as defined in international law and UN Resolution 194 and demand from the Palestinian negotiators to cling to this position in the political negotiations with Israel after Camp David II.

2. To form a Preparatory Committee composed of 29 representatives of popular refugee initiatives responsible for the preparation of an all-Palestine Conference; the Preparatory Committee is to raise awareness for Palestinian refugee rights in general, and the importance of the Conference in particular; to raise the popular demand for the continuation of adequate UNRWA services; and, to make the logistic arrangements for the Conference which will express refugee unity in Palestine and in the exile.

3. The All-Palestine Refugee Conference is to elect a High Refugee Council which will function as permanent secretariat for the period of two years. The elected Council will be responsible for intensive and systematic lobbying against the concession of refugee rights by Palestinian policy makers, and for building ties with Palestinian refugees in the diaspora.

Strategy Workshop for Palestinian Refugee Activists (Cyprus, October 2000):

The establishment of new right-of-return initiatives worldwide, and the successful implementation of some concerted grassroots action, require an efficient mechanism of coordination and a joint plan of action. BADIL, the Trans-Arab Institute (TARI), Aidoun Lebanon, the Palestine Right-of-Return Coalition (al-Awda - USA, Canada, Europe), the Society for the Defense of the Rights of Internally Displaced in Israel, and the Arab-American Anti-Discrimination Committee (ADC) have responded to this challenge by organizing a first strategy workshop of Palestinian refugee rights activists from Palestine, Jordan, Lebanon, Syria, Europe and the United States. Proceedings and reports from this workshop will be disseminated widely among right-of-return activists and networks in late 2000.



PHOTO: Washington DC Right of Return Rally

UPDATE

Campaign for the Defense of Palestinian Refugee Rights

UNITED STATES - CANADA - EUROPE

Al-Awda - Palestine Right of Return Coalition (Calendar Committee) Proposed Events

2000

September 30, October 20: Al-Awda elections
October: Local action committee meetings to plan local events/actions

October 18 (London): Launch in the House of Commons of the Report on the All-Party Delegation of 4 MPs to Palestine and the Middle East. The report will be presented to the House of Commons and to the European Parliament. (See page 12)

October 24 (London): Appeal Picket outside the Royal Courts of Justice, the Strand 10-12:30 and 2-4 pm organized by the *Freedom and Justice for Samar and Jawad*, two

ADC Petition for the Palestinian Right of Return to be Presented to the next US President (January 2001)

To the incoming President of the United States:

Mr. President, as you take office we urge you to ensure that the policies of the United States recognize and promote the Right of Return of the Palestinian refugees. As you know, the United States has made the right of refugees to return to their homes a central feature of its diplomacy, from Kosova and Bosnia in Europe, to Rwanda in Africa. The right of the Palestinian refugees to return to their homes is enshrined not only in the Universal Declaration of Human Rights and the Fourth Geneva Convention, but more specifically in UN Resolution 194, for which the United States voted. 194 provides "that the refugees wishing to return to their homes and live at peace with their neighbors 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."

We strongly urge you to uphold a single standard on the human rights of refugees, and recognize the right of the Palestinian people to return to their homes, have their property restored to them and receive compensation for losses incurred as a result of dispossession and exile.

Sign the petition online or print out a petition and send it to:



www.adc.org/petition/return.htm
www.adc.org/petition/ropet.pdf

**Arab-American Anti-Discrimination Committee (ADC)
Palestinian Right of Return Task Force**
9355 Chapman Ave #205
Garden Grove, CA 92841

Palestinians who were wrongly convicted of any connection for the bombings of the Israeli Embassy and Balfour House. For more information on the case, see www.freesaj.org.uk.

November 29: Worldwide teach-ins on the right of return (International Day of Solidarity with the Palestinian People)

December 9-11, 14: Anniversary of the Intifada, Universal Declaration of Human Rights, UN Resolution 194, 50th Anniversary of the UNHCR.

2001

April 9: Deir Yassin Commemorations. Deir Yassin Day: For more information on planned events in London contact Paul Eisen at dyr@eisen.demon.co.uk or subscribe to DYD2001-subscribe@egroups.com

May 14: Al-Nakba Commemoration, vigils and events internationally. **Late May:** Activist retreats

September 16: Rallies worldwide in every city possible. Plans for musical benefit concerts for right of return around the world. For more information or if you are interested join al-awda-benefit@egroups.com by sending a blank message to al-awda-benefit-subscribe@egroups.com.

November 29: (International Day of Solidarity with the Palestinian People) Benefit Concert

December 9-11: Anniversary of the Intifada, Universal Declaration of Human Rights, UN Resolution 194

For more information contact al-Awda (USA), prrc@mail.com, or London, PRRC-London@mail.com.

Canadian right of return initiative established:

On September 15, Canada's Palestinian community announced the launch of a new national organization to support the right of Palestinian refugees, and their descendants, to return to their former homes throughout historic Palestine. The decision to form the "Right of Return" committee was taken in a meeting of 25 top Palestinian community leaders and activists including 4 former presidents of the national Arab Canadian community organization, the Canadian Arab Federation (CAF).

Contact: JamesKafieh@hotmail.com or (905) 762-8987

EUROPE

Palestinians in Denmark establish a right of

return committee: On the 26th August the Preparatory Committee for Palestinian refugees in Europe called a one day meeting to discuss issues concerning the establishment of a right of return committee in Denmark, the means to enhance coordination between European countries and to draw a common strategy towards Palestinian communities, European NGOs and other institutions. The meeting was attended by 35 representatives of associations, clubs, committees and activists, mainly from Denmark and Sweden.

Contact: Mahmoud.Issa@drc.dk

Right-of-return activities in Sweden:

Workshop (27 September 2000): Speakers included cartographer Jan de Jong, Mustafa Bargouthi and EU representative Karin Roxman.

Swedish Delegation to Lebanon and

Palestine (November 2000): Composed of Swedish parliamentarians and members of political parties.

Contact: Dr. Ayed Ahmad, Ayed.Ahmad@doctor.com

MIDDLE EAST

Palestinians in Syria launch right of return initiative (A'idoun Group):

Refugees in Syria have established a new initiative to help crystallize popular refugee activities and lobbying for the right of return, and to work to prevent any agreement that might compromise it. A'idoun Group-Syria also seeks to establish coordination and cooperation channels with all Arab/Palestinian refugee popular initiatives and NGOs active in this field to promote the Palestinian right of return among the international community to achieve their support for this right.

Establishing Declaration

More than 50 years after Al-Nakba, Palestinians continue to be deprived of their human and basic natural rights: the right to return to their homes and properties and the right to self-determination on their land, affirmed in various international resolutions. The most important of these is General Assembly Resolution 194, 11 December 1948, adopted immediately after the mass displacement of hundreds of thousands of Palestinians by Zionist forces who destroyed their villages and towns, looted their properties, and committed many massacres against them.

On 16 September 1948, Count Bernadotte, the United Nations Mediator, submitted his recommendations for solving the problems of thousands of Palestinian refugees to the United Nations. The most important recommendation was that Palestinian refugees must be allowed to return to their homes and properties, and receive compensation for any loss and damages to their properties.

The General Assembly met to review these recommendations on 11 December 1948, and subsequently adopted them as paragraph 11 of Resolution 194, which: "Resolves that the refugees wishing to return to their homes and live at peace with their neighbors 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 the principles of international law or

in equity, should be made good by the Governments or authorities responsible."

Israel's membership in the United Nations, approved by the General Assembly on 11 May 1949, was conditioned upon Israel's acceptance to implement UN resolutions. "Recalling its resolutions of 29 November 1947 (Partition) and 11 December 1948 (right to return and compensation) and taking note of the declarations and explanations made by the representatives of the Government of Israel before the Ad Hoc Political Committee in respect of the implementation of the said resolutions".

Ever since Resolution 194 was adopted, it has been confirmed annually by the United Nations. Israel continues to reject the Resolution and thereby, the Universal Declaration of Human Rights, of which it is a signatory. According to the Declaration, (Article 13) "Everyone has the right to leave any country, including his own, and to return to his country", and (Article 17), "No one shall be arbitrarily deprived of his property."

The international community continues to deal with the Palestinian refugee issue only from its humanitarian dimension, ignoring the other political, legal, and moral dimensions. At the same time, the role of the United Nations has been limited to providing some relief assistance through UNRWA, and has failed to implement its resolutions concerning the Palestinians' right to return and compensation. This failure is compounded by the balance of power, which favors Israel, and its rejection of these rights.

In response to this miserable situation, refugees in the diaspora have mobilized to defend the right of return and link this right with the right of self-determination. In Syria, Palestinian refugees are accorded the same civil rights as Syrian citizens, and are integrated economically and socially within the Syrian community, but they maintain their national identity. Return to their homeland is still their priority.

In the context of the current dangers that threaten these national rights, consistent with the general framework of the refugee agenda in the diaspora based on the right of return and self-determination on our land, and the motivation to be involved, a group of independent Palestinians in Syria gathered to establish **A'idoun Group-Syria**. **A'idoun** is an independent forum, not concerned with the political affairs, but with the right of return. This forum is open to any individual who supports this right.

Contact Information: A'idoun Group, Syria, Damascus, PO Box 12018; email, elissa21@cyberia.net.lb; tel. 96311-3334922, fax, 96311-3329326.

Ibdaa' Cultural Center Gutted by Arson



PHOTO: Ibdaa building totally burned from inside; computer-lab, library, office and stores destroyed

During the early morning hours of 26 August an arson attack in Deheishe Refugee Camp destroyed the computer lab, part of the Across Borders Project, and parts of the library of Ibdaa' Cultural Center. Thirteen computers and computer desks were destroyed while the server and scanner was stolen. Losses are estimated at \$25,000 in equipment alone. Within days of the fire, several fundraising events were held in the Bethlehem area to help reconstruct the computer lab. Refugee children from Shatila Camp collected a symbolic donation of \$15 for the rebuilding project. Since the computer lab was constructed just over a year ago, refugee children and youth from Deheishe have been corresponding with refugees from Shatila camp in Lebanon. Donations for the reconstruction of the computer lab can be sent to:

Committee to Rebuild Ibdaa'

Bank Name: Palestine Investment Bank
Branch: Bethlehem Branch, West Bank,
Palestinian Territories

Account Name: Committee to Rebuild Ibdaa
Account Number: 051940 - 72580 (for donations
from overseas)

Account Number: 72580 (for donations from
Palestine)

Across Borders Project Opens First Center in Lebanon

On September 30, the Across Borders Project opened its first computer center in Bourj al-Shamali Camp near Tyre joining two other centers already up and running in Deheishe Camp-West Bank and in Khan Younis-Gaza Strip. For more on the Across Borders Project *see*:

Palestinians Criticize Italian "Community Peace Initiative":

"We Demand Respect for Palestinian Rights, for our Heritage and Struggle

We Do Not Need Commercial Initiatives Aimed at Normalization with Israel"

In early September, an Italian community initiative for peace in the Middle East, organized by Flavio Lotti on behalf of Italian community institutions (municipalities, NGOs), brought some 1,000 Italian tourists to the Jerusalem-Bethlehem area. The Italian visitors, hosted by Israeli and Palestinian institutions (municipalities NGOs, Bethlehem 2000) participated in a program which aims to promote the current Middle East peace effort by means of meetings with Israeli and Palestinian community organizations.

Palestinian institutions and community activists were shocked to learn, on 4 September 2000, that while the Italian program included visits to the Israeli holocaust memorial Yad Vashem and the grave of assassinated former Israeli prime minister Yitzhaq Rabin, the program on the Palestinian side included neither reference to the Palestinian victims of the historical conflict, nor a visit to one of the Palestinian memorials of the martyrs of the Palestinian people's struggle for its basic rights.

"Deir Yassin, located only several hundred meters from the Holocaust Museum Yad Vashem, is the symbol of the some 500 Palestinian villages destroyed by Israel in 1948 and a symbol for all Palestinian refugees in the world. There are no monuments or signs indicating Deir Yassin, the site of the massacre committed by Zionist forces against innocent Palestinian villagers on 9 April 1948, but for the Palestinian people, whose culture and history has been passed from generation to generation, the memory of Deir Yassin will always remain alive," wrote Kamal Al-Qaisi/Popular Committee of the Beit Jibrin ('Azza) Refugee Camp in a statement of protest to the organizers of the Italian initiative.

An Italian delegation visited the remainders of the Palestinian village of Deir Yassin on 4 September, following the Italian visit at Yad Vashem, in response to the popular demand addressed to the Italian organizers, as well as Faisal Al-Husseini/PLO Jerusalem portfolio and Palestinian Legislative Council member Hatem Abdelqader.



PHOTO: The Italian performing at Bab-al-Zahera, Jerusalem (Al-Quds, 5/9/2000)

Deheishe Camp, Bethlehem, 11-9-2000.

To: Mr. Flavio Lotti, Coordinating Director of the Italian Local Institutions; Organizers of the Italian Week in Palestine for Peace in the Middle East (September 1 to 9, 2000); Mr. Gianni Ghisi, Consul General of Italy in Jerusalem; Representatives of the Italian municipalities and local councils; The editorial boards of the Italian press, *Il Manifesto*, *Il Messaggero*, *La Repubblica*, *Ansa*; Mr. Mitri Abu Aita, Palestinian Minister of Tourism; Mr. Hanna Nasser, Mayor-Bethlehem; Mr. Nabil Qassis, Minister, Bethlehem 2000; Mr. Faisal al-Husseini, PLO Jerusalem portfolio;

Re: Italian Week in Palestine (1-9 September 2000)

We, representatives of the popular committees in the Palestinian refugee camps and Palestinian non-governmental organizations, deeply appreciate the role of the Italian government and its people, who by their position and initiatives for peace building in the Middle East express their solidarity with the Palestinian people, our struggle for the right of return and the Palestinian independent state with Jerusalem as its capital.

At the same time, we strongly criticize the coordinators of the Italian Local Institutions for Peace and their actions during the Italian Week. They took a negative position towards the Palestinian people and the Palestinian case; they launched their program with a visit to the Israeli side, which included visits at the Israeli holo-caust memorial and the grave of ex-prime minister Yitzhaq Rabin. At the same time, they abstained from organizing activities in commemoration of the Palestinian catastrophe (Nakba), such as a visit to the destroyed Palestinian villages - sites of massacres, destruction and displacement, or a visit

to the graves of our martyrs fallen in our struggle for the homeland and liberty.

We hereby raise our voices loudly and express our protest and objection to what was done by the organizers of Italian Week in Palestine, who eliminated the Palestinian political position from their program by remaining silent about the right of the Palestinian people to return to their homeland and to establish the independent Palestinian state with Jerusalem as its capital, and by hesitating to visit the destroyed village of Deir Yassin.

We have no doubt that the refusal to cooperate with a central Palestinian coordinating committee (composed of various types of Palestinian institutions on the governmental and non-governmental level), which would have allowed to coordinate the Italian Week on the national Palestinian level, served the purpose of leaving all strings in the hand of one person, who played the game of divide and rule in order to keep issues vague and unclear. Moreover, the coordinators of the Italian Week are still aiming to present their program as a joint Palestinian-Israeli program, which has achieved its objectives and is thus beyond criticism by any Italian or Palestinian party.

We ask all respected persons addressed above, to evaluate this Italian event objectively, and to discuss if this week really achieved its goals as planned, irrespective of other aims which might have been involved

Thank You,

Signed by:

Salem Abu Hawash (Head of Board, BADIL Resource Center), Jamal Farraj (Journalist), Othman al-Azza (Head, Executive Committee of Beit Jibrin Youth Center), Abed al-Rahman al-Titi (Head, Popular Service Committee, Al-Arroub Camp), Ismail Jum'ah (Fatah Treasurer, Al-Arroub Camp), Usama al-Jawabra (Popular Committee, Al-Arroub Camp), Abed al-Nasser al-Jawabra (Public Relations, Popular Committee Al-Arroub Camp), Ala al-Azza (Beit Jibrin Cultural Center, Beit Jibrin Camp), Abdallah al-Zghari (Fatah), Imad Aiad (Popular Committee), Dr. Abed al-Fatah Abu Srour (Al-Rowwad Theater, Aida Camp), Adnan Ajarmeh (Rehabilitation of the Handicapped, Aida Camp), Mousa Abu Hashhash (Popular Right of Return Committee), Yousef Hilqawi (Popular Right of Return Committee), Mohamed Hilqawi (Popular Right of Return Committee), Mohamed Abu Alia (Fatah, Deheishe Camp), Ra'fat al-Jawabra (Fatah, al-Douha), Issa Qaraqqa' (Palestinian Prisoners Club), Rajeh al-Till (Presidential Security), Ziad Hamad (Ibdaa' Cultural Center, Deheishe Camp), Ziad Abbas (Ibdaa' Cultural Center), Hajar Hamdan (Women's Center, Deheishe Camp), Mohamed al-Sous (Popular Committee, Al-Fawwar Camp), Afif Ghatashe (Youth Activity Center, Al-Fawwar Camp), Khalil Al-Azza (Head, Popular Service Committee, Beit Jibrin Camp), Bassam Abu Akar (Aida Camp), Kamal al-Qaisi (Secretary of the Popular Committee, Beit Jibrin Camp), Ziad al-Hmouz (Head, Popular Committee, Al-Fawwar Camp), Muna Muhaisen (Across-Borders Project, Deheishe Camp)

REFUGEE PROTECTION

British Commission of Inquiry on Palestinian Refugee Choice Meets with Representatives of Refugee Organizations

About the Commission: The Commission of Inquiry is an initiative of the Joint British Parliamentary Middle East Council and based on the recognition of Britain's historical responsibility for the creation of the Palestinian refugee problem. Concerned about the sidelining of the role of refugees and their internationally recognized rights (the right of return enshrined in UN Resolution 194, the right to self-determination and the principle of free choice) in the current peace efforts, the Commission is mandated to gather evidence of Palestinian refugee preference with regard to the appropriate durable solution of the world's oldest and largest refugee problem. Following its ten-day-tour through the Middle East (1 - 10 September 2000), the Commission will prepare a report which will be presented to Israel, the PLO, European governments and the European Union, and remind the international community of its responsibility to set up the mechanism appropriate for the implementation of refugee choice.

The first in a series of meetings between a British Parliamentary Mission of Inquiry on Palestinian refugee choice was on 1 September, in the hall of the Youth Activity Center in Aida refugee camp, Bethlehem. For more than three hours some 45 Palestinian community activists, representatives of refugee organizations and Palestinian political parties, members of Palestinian Legislative Council (PLC) and the Palestinian National Council (PNC), as well as delegates of the National Committee for the Defense of the Rights of the Internally Displaced in Israel gave testimony of their preferred option for a solution of the Palestinian refugee issue and answered the questions raised by the British Commission. Similar refugee hearings in Palestine were held in Gaza (office of the Union of Youth Activity Centers, September 2) and Balata Camp/Nablus (Yafa Cultural Center, September 3)

The message conveyed by refugees in Palestine, Jordan, Syria was clear:*

1. That Palestinian refugees opt for a return to their original homes and lands located in what is now Israel, restitution of their properties, and

compensation for material and non-material losses and damages.

2. That refugees are unified behind the right to return and have expressed this desire For the last 52 years.

3. That a resolution of the refugee issue must follow international law and UN Resolutions, notably UN Resolution 194 of 1948.

4. That the right of return is both a collective and individual right and is non-negotiable.

5. That a peaceful future in the Middle East for Arabs and Jews is dependent on implementation of the right of return.

Palestinian refugees in the West Bank clarified that implementation of return was possible, because new Jewish settlements have been built on some 20% of their original villages only, while the rest is destroyed and empty. The fact that Israel has refused to permit the return of the some 250,000 internally displaced Palestinians



PHOTO: The British Commission Hearing in the West Bank ('Aida Youth Activity Center, 15/9/2000)

proves that Israeli security-, space-, and demographic arguments are no more than a pretext used to avoid a responsible and constructive approach to the solution of the refugee problem. They also stated that while they will continue to consider the PLO their sole legitimate representative as long as its negotiators uphold their right of return as a non-negotiable principle, they expect the international community to pressure Israel to recognize UN Resolution 194 and to provide international mechanisms and experience which will allow proper implementation of their return.

For detailed summaries of the hearings contact: al-Awda Committee/Jordan (ahali@go.com.jo); Aidoun-Syria (elissa21@cyberia.net.lb); and check the BADIL website

* A report on the Commission hearings in Lebanon was not available at press time.

BADIL Submission to the British Commission of Inquiry (excerpts)

To the

British Joint Parliamentary Commission of Inquiry - Palestinian Refugees:

Ernie Ross (MP Labor)

Nick St. Aubyn (MP Conservatives)

Neil Gerrard (MP Labor)

Menzies Campbell (MP Liberal-Democrats)

Bridget Gilchrist and Maria Hold (Secretariat)

"Recognition, Protection, and Implementation of Palestinian Refugee Rights: A Condition for a Durable Solution of the Palestinian/Arab-Israeli Conflict"

• 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. 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 (1948; 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 5 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 recognized 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 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.

- Representativity 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 grass-roots 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.
- 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 little familiar with policies and practice of international organizations, e.g. the UNHCR, elsewhere.

a) 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 emphasize 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 during the early years after the Nakba.

b) 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, Jafa. (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.

c) 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
Salem Abu Hawwash, Head of Board, BADIL
Bethlehem, 30-8-2000.

Negotiations Update

Political Report from the Executive Committee of PLO for the Palestinian Central Council (excerpts)

During the regular meeting held in the Gaza Strip 9-10 September 2000

[During Camp David II] the Israelis did not present a clear proposal for a solution of the refugee issue. They reacted negatively and rejected suggestions presented by the Palestinians. They rejected the admission of their moral and legal responsibility for creating the refugee catastrophe. The Israelis talked once about the possibility of accepting UN Resolution 194, but in an indirect and illegal way: implementation of whatever was agreed upon would be considered to be implementation of the resolution. In addition, they demonstrated an acceptance for the return of several hundred refugees each year on a humanitarian basis only. Concerning compensation, the Israelis suggested the possibility establishing an international fund that would include compensation of Jews who had emigrated from Arab countries. Concerning funds from the transfer of refugee property by the Israeli *Custodian of Absentees' Property* -established to administer the property - the information conveyed to the Palestinian delegation is that revenues in the fund have already been spent.

Refugees

The Israeli Position

1. Compensation of refugees.
2. An international fund should be established for this purpose; Israel will participate as any other country.
3. Jews originating from Arab countries should also be compensated from the international fund.
4. Israel will permit several hundred refugees to return annually under "family reunification" or on humanitarian grounds.

The Palestinian Position

1. Israel is morally and legally responsible for creating the refugee catastrophe.
2. The right of return must be guaranteed for every refugee who chooses to return. (Resolution 194). Return means return to Israel.
3. Compensation must be provided to those wishing to return for use of their properties, and compensation for refugees choosing not to return for properties, loss of income, and suffering.

4. Israel is responsible for paying compensation, including funds from the *Custodian of Absentees' Property* that was established in 1949 to administer the refugee properties.
5. Compensation must be provided for Palestinian public properties (schools, hospitals, institutions, mosques, churches, etc.).
6. Compensation must be provided to the refugee host countries because of the burden they carried more than fifty years.
7. An international fund might be established to provide part of the compensation.
8. The PLO rejects linkage of the Palestinian refugee issue with the issue of Jewish immigrants from Arab countries. All issues pertaining to Jewish immigrants must be handled separately between Israel and the respective country of origin.

Palestinian Claims Land under Barak's Home

Mustafa Daoud, a resident of the West Bank village of Jammal, three miles east of the Israeli town of Kochav Yair, home to Israel's Prime Minister, has recently brought forward documents that prove his ownership of the land. Daoud lost 60 acres of land when he was expelled from the area in 1948. Legal efforts to recover the land have thus far failed.

Reuters, 16 August 2000

Europeans Seek Land for Jerusalem Embassies

According to Israeli government sources, Britain and an unnamed "southern European country" have acquired plots of land in Jerusalem for the future construction of Embassies. The British plot of land is apparently located near the UN compound in East Talpiot, while the second plot is located in the area of the Valley of the Cross. American attempts to acquire a plot of land, also in East Talpiot, have been subjected to counterclaims by Palestinian refugees. (See Majdal, Issue No. 5 for more details). Approximately 80 percent of 1948 Jerusalem was owned by Palestinian Arabs, much of which has been expropriated by Israel. Refugee properties allocated by the government of Israel for the construction of diplomatic compounds could well be subjected to counter-claims from the original owners.

Jerusalem Post, 8 September 2000

The Right to Restitution and International Human Rights Law

Resolution 1998/26 - Housing and property restitution in the context of the return of refugees and internally displaced persons

E/CN.4/SUB.2/RES/1998/26

26 August 1998

The Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Conscious that human rights violations and breaches of international humanitarian law are among the reasons why refugees, as defined in relevant international legal instruments, and internally displaced persons flee their homes and places of habitual residence,

Recognizing that the right of refugees and internally displaced persons to return freely to their homes and places of habitual residence in safety and security forms an indispensable element of national reconciliation and reconstruction and that the recognition of such rights should be included within peace agreements ending armed conflicts,

Recognizing also the right of all returnees to the free exercise of their right to freedom of movement and to choose one's residence, including the right to be officially registered in their homes and places of habitual residence, their right to privacy and respect for the home, their right to reside peacefully in the security of their own home and their right to enjoy access to all necessary social and economic services, in an environment free of any form of discrimination,

Conscious of the widespread constraint imposed on refugees and internally displaced persons in the exercise of their right to return to their homes and places of habitual residence,

Also conscious that the right to freedom of movement and the right to adequate housing include the right of protection for returning refugees and internally displaced persons against being compelled to return to their homes and places of habitual residence and that the right to return to their homes and places of habitual residence must be exercised in a voluntary and dignified manner,

Aware that intensified international, regional and national measures are required to ensure the full realization of the right of refugees and internally displaced persons to return to their homes and places of habitual residence and are indispensable elements of reintegration, reconstruction and reconciliation,

1. Reaffirms the right of all refugees, as defined in relevant international legal instruments, and internally displaced persons to return to their homes and places of habitual residence in their country and/or place of origin, should they so wish;
2. Reaffirms also the universal applicability of the right to adequate housing, the right to freedom of movement and the right to privacy and respect for the home, and the particular importance of these rights for returning refugees and internally displaced persons wishing to return to their homes and places of habitual residence;
3. Confirms that the adoption or application of laws by States which are designed to or result in the loss or removal of tenancy, use, ownership or other rights connected with housing or property, the active retraction of the right to reside within a particular place, or laws of abandonment employed against refugees or internally displaced persons pose serious impediments to the return and reintegration of refugees and internally displaced persons and to reconstruction and reconciliation;
4. Urges all States to ensure the free and fair exercise of the right to return to one's home and place of habitual residence by all refugees and internally displaced persons and to develop effective and expeditious legal, administrative and other procedures to ensure the free and fair exercise of this right, including fair and effective mechanisms designed to resolve outstanding housing and property problems;
5. Invites the United Nations High Commissioner for Human Rights, in consultation with the United Nations High Commissioner for Refugees, within her mandate, to facilitate the full implementation of the present resolution;
6. Invites the United Nations High Commissioner for Refugees, in consultation with the United Nations High Commissioner for Human Rights, to develop policy guidelines to promote and facilitate the right of all refugees and, if appropriate to her mandate, internally displaced persons, to return freely, safely and voluntarily to their homes and places of habitual residence;
7. Decides to consider the issue of return to place of residence and housing for refugees and internally displaced persons at its fifty-first session, under the agenda item entitled "Freedom of movement" to determine how most effectively to continue its consideration of these issues.

European Parliamentary Groups at the European Parliament on the Right of Return

British PM Tony Blair

"Britain has long supported UN calls for the right of return and compensation for Palestinian refugees. Britain has also been trying as hard as we can to help find a lasting solution to this problem. Such a solution requires not just the agreement of Israel and the Palestinians but must take into full account the views of the refugees themselves and of the countries where they have lived for so long." (*Tony Blair in a letter sent to Christian Aid, UK*)

Group of Party of the European Socialists

"[T]he PES position on the right of return of Palestinian refugees is clearly in favour of the respect of the international rules and the UN resolutions." (*Christine Verger in letter dd. 27 June 2000*)

Group of the European Liberal Democrat and Reform Party

"[N]o doubt that the Greens/EFA group supports the right of Palestinian refugees to return as it did many times in various situations for other refugees. The right to return is one of the basic rights recognized by many international covenants and should never be questioned." (*Paolo Bergamaschi in letter dd. 28 June 2000*)

Group of the European People's Party (Christian Democrats and European Democrats)

"The EPP-Ed group position concerning the Palestinians refugee question is in line with the UN Resolutions. The EPP-ED group considers that a permanent peace only could be possible with justice." (*Jose Botella Serrano in letter dd. 15 June 2000*)

Dutch Socialist Party

"Of course, the SP recognizes the right of Palestinian refugees to return to their own land, like practically the whole world does. The fact that this didn't happen is due to double standards, which we address regularly in the Parliament." (*Johan van den Hout in letter dd. 14 June 2000*)

Dutch DemocratCS'66 (D'66)

"D66 supports the right of return of Palestinian refugees, as stated repeatedly by the foreign affairs spokesman." (*J.Th. Hoekema in letter dd. 5 July 2000*)

These statements have been collected by al-Awda - The Right of Return Coalition in order to create a database on of political positions for more effective lobbying efforts for the right of return. See Majdal Issue No. 6 for a sample letter and contact information or visit the



al-Awda website.

REFUGEE ASSISTANCE

Overall Donor Funding Remains Flat: Refugee Students in Lebanon Protest Lack of Education Opportunities

As UNRWA prepares to enter the last quarter of 2000, overall donor funding remains flat. Leading up to host-donor nations meeting in Amman in late September it was announced that funds expected from donor countries will not be able to cover the Agency's expenditures by the beginning of November. Additional pledges from donor countries to cover the \$27 million deficit for 2000, however, averted further austerity measures in the remaining months of the year.

Current funding levels, nevertheless, do not cover basic refugee needs and rights enshrined in international human rights instruments, including health and education. Since the beginning of the Oslo process in 1993, actual UNRWA expenditures per refugee has declined from \$179 to less than \$70 today affecting delivery of services in all areas - education, health, and welfare.

In the response to the critical situation in Lebanon, and the lack of opportunities for high school education in particular, refugees have been holding a sit-in, which included a four-day hunger strike, since the beginning of September in front of the UNRWA building in Bir Hasan. Approximately 50 students have been camped out overnight during the sit-in, organized by the Follow-Up Committee for Palestinians Students, with crowds swelling to as many as 500 during the day. The Committee previously held an 18-day hunger strike in 1997 to protest cuts in the UNRWA budget in Lebanon. Further signaling the serious financial issues faced by the UN Agency, Lebanese landowners have threatened to shut down UNRWA schools on their property unless the Agency clears up more than 10 years of unpaid rent for the property.

The average classroom size in Lebanon has reached 60 students with two students per desk. Moreover, an increasing number of students are unable to exercise their basic right to education beyond middle school. UNRWA operates a single secondary school in the Beirut area, opened on the late 1990s, with a total three secondary schools in Lebanon leaving the majority of refugee students with few options for secondary education. Palestinian refugees in Lebanon lack access to public sector schools

while the cost of private education is often prohibitive. According to Nidal Abdel Al, head of the Student Committee, there are 1,000 students alone in the Badawi and Nahr al-Bared camps in the north that do not have a high school to attend.

The right to education is a basic human right enshrined in the Universal Declaration of Human Rights. Article 26 (1) states: "1. Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit." The right to education is also enshrined in the Covenant on Social, Economic and Cultural Rights, and the Covenant on the Rights of the Child. Lebanon is signatory to all these conventions. As the designated international body for assistance to Palestinian refugees who are stateless, UNRWA is obligated to provide education. The UNHCR has also recognized education of children as a basic element of refugee protection linked to durable solutions.

Executive Committee Conclusions No. 47 - 1987, No. 59 - 1989, and No. 84 - 1997

"If a Palestinian steals an onion, the whole world rises up, but if he asks for his rights, no one looks twice."

Mohammed, refugee in Lebanon quoted in the Daily Star, September 20, 2000

The Student Follow-Up Committee and other refugee organizations have been lobbying UNRWA officials and donor countries for more funding. UNRWA promised to raise the issue during the host-donor nation meeting in Amman at the end of September and students say they will wait to see the results of the meeting before deciding on future actions.

At press time, UNRWA announced that it would be willing to provide secondary education for refugees in Lebanon if donor countries were to provide appropriate funding. Refugees and activists around the world have been sending letters to UNRWA calling for appropriate funding until the refugee situation is resolved according to international law and UN resolutions. Letters of support can also be addressed to the students in Lebanon. Individuals are also requested to write to their own government representatives to urge them to provide appropriate funding so that the Agency can continue to provide for the basic needs and rights of the refugees, including education, until such a

time as the refugee issue is resolved according to the international law and UN Resolution 194 (right of return and compensation).

Write to UNRWA

Write to UNRWA Commissioner-General Peter Hansen expressing support for Palestinian students right to education. Ask UNRWA to pass on your concern to donor governments and to ensure that they provide sufficient resources to meet the international community's obligation to the Palestinian refugees.

Commissioner-General Peter Hansen
UNRWA Headquarters
Gaza Strip
Fax 972-7-677-7555
Email: h.unrwa@unrwa.org

Send messages of solidarity to children in Lebanon
email: palrefchildren@post.com

Available Now: Brief No. 6

BADIL - Information and Discussion Brief No. 6 (July 2000)

"The UN Relief and Works Agency (UNRWA) and a Durable Solution for Palestinian Refugees"

Terry Rempel, Coordinator of Research and Information, BADIL

Brief No. 6 is one of a set of three BADIL Briefs (No. 5-7), which examine the special regime (outlined in Brief No. 1) established by the United Nations to provide protection and assistance for Palestinian refugees and promote a durable solution based on the provisions of UN Resolution 194 (III). Briefs 5 and 7 provide an overview of the UN Conciliation Commission for Palestine (UNCCP) and the UN Office of the High Commissioner for Refugees (UNHCR). This Brief examines the work of the UN Relief and Works Agency (UNRWA) established in 1949 to provide assistance for Palestinian refugees. The Brief examines the future role of UNRWA in a durable solution for Palestinian refugees. Based on a review of the Agency's mandate, experience, and institutional resources, UNRWA could play a useful functional role in a multi-agency, international burden sharing effort in the areas of refugee protection, human resource development, social infrastructure development, and institutional capacity building. Brief No. 6 is based on a paper prepared for a workshop on the Future of UNRWA organized by the Palestinian Refugee ResearchNet and the Royal Institute of International Affairs in Minster-Lovell, UK, 19-20 February 2000.

Hard copies of the Brief are available on order from BADIL. HTML and PDF formats are on the BADIL website.



Palestinian Refugees and the Right to Education

International Covenant on Economic, Social and Cultural Rights, G.A. res. 2200A (XXI), 21 U.N.GAOR Supp. (No. 16) at 49, U.N. Doc. A/6316 (1966), 993 U.N.T.S. 3, entered into force Jan. 3, 1976.

Article 13

1. The States Parties to the present Covenant recognize the right of everyone to education. They agree that education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms. They further agree that education shall enable all persons to participate effectively in a free society, promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups, and further the activities of the United Nations for the maintenance of peace.

2. The States Parties to the present Covenant recognize that, with a view to achieving the full realization of this right:

- (a) Primary education shall be compulsory and available free to all;
- (b) Secondary education in its different forms, including technical and vocational secondary education, shall be made generally available and accessible to all by every appropriate means, and in particular by the progressive introduction of free education;
- (c) Higher education shall be made equally accessible to all, on the basis of capacity, by every appropriate means, and in particular by the progressive introduction of free education;
- (d) Fundamental education shall be encouraged or intensified as far as possible for those persons who have not received or completed the whole period of their primary education;
- (e) The development of a system of schools at all levels shall be actively pursued, an adequate fellowship system shall be established, and the material conditions of teaching staff shall be continuously improved.

Convention on the Rights of the Child, G.A. res. 44/25, annex, 44 U.N. GAOR Supp. (No. 49) at 167, U.N. Doc. A/44/49 (1989), entered into force Sept.2 1990.

Article 28

1. States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular:

- (a) Make primary education compulsory and available free to all;

- (b) Encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need;
- (c) Make higher education accessible to all on the basis of capacity by every appropriate means;
- (d) Make educational and vocational information and guidance available and accessible to all children;
- (e) Take measures to encourage regular attendance at schools and the reduction of drop-out rates.

Letters from Children in Lebanon at the Sit-In

Marhaba to all of you

My name is Ibrahim Khalil. I'm from Saffouri in Palestine. People say my village was so beautiful. I live now in Badawi Refugee camp in northern Lebanon. I'm fourteen years old and I took the brevet [secondary school entrance exam] last year. I'm now sitting-in in front of the UNRWA office because I don't have a place at any secondary school. You know I'm the youngest of my brothers who were all obliged to leave school and support my mother, earning money for our everyday needs. They have put all their hope in me to study and achieve their dream to finish my education. They always helped me and loved me so I would succeed. They were so happy when I did. But now my family and I are so sad because our only dream is about to be over since I don't have a place at school. Our dream is vanishing and I will end up working like my brothers. Is it fair? I don't want to end up working. All the people in the camp work in the same jobs - construction, electricity and all the menial jobs left for us in Lebanon. These are the only jobs we are allowed to do. I want to go back to school and continue my education and achieve the dream of my family. My mother is always crying because I'm the last one. I'm her hope to get an education. She also doesn't want me to end up doing the same jobs as my brothers. Thank you for helping me to achieve my dream and the dream of my family. I used to feel abandoned but we read your letters I cried because I felt that my dream will come true. It is already true: We are all together. Stay with us and please don't leave us.

Thank you so much.

Ibrahim Khalil
Badawi Camp

Source: Freedom Internet Discussion List

HALT ISRAELI MASSACRES AGAINST PALESTINIAN CIVILIANS!

Call for International Protection of the Palestinian People and Israeli Adherence to UN Resolutions and International Law Standards

BADIL Resource Center, 6 October 2000

On 28 September 2000, Ariel Sharon, head of the Israeli Likud party, conducted a so-called private visit, accompanied by 3,000 Israeli police and special forces, to the Muslim holy site of al-Haram al-Sharif (site of the al-Aqsa Mosque and the Dome of the Rock) in the Old City of Jerusalem, despite warnings by Palestinian, Arab, and some Israeli and western officials that the visit could destabilize the situation on the ground. On Friday 29 September, the provocation created by the visit, and the massive Israeli police presence in the Old City and around the Haram al-Sharif, resulted in Israeli occupation forces, including snipers, opening fire on the large number of Palestinian worshippers assembled for prayer, thus triggering the bloodiest Israeli-Palestinian confrontations since the beginning of the Oslo process in 1993.

Since then, battles between civilian Palestinian protestors - many of them refugees - Palestinian security forces, and the Israeli occupation have spread all over the West Bank, Gaza Strip, and Palestinian population centers inside Israel. Although termed "Jerusalem (Al-Aqsa) Intifada", the current popular protest is not mainly a struggle over religious symbols, but an expression of the deep frustration over the ongoing disrespect and denial of the Palestinian people's basic rights - including the right to free access to Jerusalem, security and development in the homeland, and the refugees' right to return, restitution and compensation - by a political process which is experienced as a process imposed by Israeli and the United States in order to negate Palestinian human and national rights for all times to come.

Israeli repression has escalated day by day, including measures which are clearly outlawed by international conventions (Fourth Geneva Convention/Protection of Civilians under Occupation; Covenant on Civil and Political Rights; Convention on the Rights of the Child), such as the use of live ammunition and dum-dum bullets against civilians, many of them children; the use of tanks, LAW(?) missiles, and gun-helicopters against large crowds of protestors, Palestinian civilian homes and security targets; shooting at Palestinian medical staff and ambulances. Thus the violent confrontations between the heavily armed occupation forces and the Palestinian popular resistance equipped with stones and Molotov-cocktails - supported by weakly armed Palestinian security forces - has led to an unprecedented toll of deaths and injuries among the Palestinian people. By today, October 6, over 80 Palestinians have been killed, 14 of them Palestinian citizens of Israel. Among the killed are at least 15 children below the age of eighteen. In addition, over 2,500 have been injured, mainly by bullet wounds to the upper part of the body and head. Public protest against the Israeli repression and solidarity with the Palestinian people has spread from the Palestinian refugee camps in Lebanon and the Arab world to the United States, Canada and Europe, and an adequate official response by the international community is overdue.

In light of the aggravating situation, BADIL Resource Center joins the demand of Palestinian popular and official institutions and the international solidarity movement for a rapid and efficient intervention of the international community in order to oblige Israel to abide to all relevant UN resolutions (especially resolutions 242, 338 calling for Israeli withdrawal from the 1967 occupied Palestinian territories, including East Jerusalem) and international humanitarian and human rights conventions (e.g. Fourth Geneva Convention; Convention on Civil and Political Rights; Convention on the Rights of the Child).

Specifically, we call upon the UN High Commission for Human Rights, its member states and High Commissioner, Ms. Mary Robinson, to implement the Commission's mandate by:

1. Holding a Special Session to discuss the current violent events and issuing a Special Statement, which condemns injuries and loss of life caused by Israel's excessive and indiscriminate use of military and police force among the Palestinian people in the 1967 occupied territories and in Israel.
2. Launching and international investigation both within Israel and the 1967 occupied territories (including East Jerusalem) to determine responsibility and accountability for the injuries, loss of life and human rights violations by Israel.
3. Stimulating and coordinating action (including preventive action) for the protection of the human rights of the Palestinian people throughout the UN system. Protective human rights mechanisms must be extended especially to vulnerable groups, i.e. Palestinians in occupied Jerusalem and within Israel, and to Palestinian refugees and internally displaced persons, who - excluded from the international protection regime for 50 years - continue to be denied their basic human right to repatriation, restitution and compensation according to UN Resolution 194.

Please express your concern and appeal to:

Mrs. Mary Robinson, UN High Commissioner for Human Rights. Fax: 0041-22-917 9016

Copies to: governments, members of the UN Human Rights Commission; Offices of the High Commissioner for Human Rights in the West Bank and Gaza Strip (ohchr_wb@hotmail.com; phchr@papp.undp.org)

In Memoriam

Palestinian Victims of the Israeli Repression ("Jerusalem Intifada", 29-9 to 9-10-2000)

1967 Occupied Jerusalem:

Usama M. Jaddah, 23, Old City. Mohammed H. Farrah, Abu Dis. Yahia H. Faraj, Beit Safafa. Bilal A. Afana, 26, Abu Dis. Hytham I. Iskafi, 45, Al-Thori. Nizar I. Shwiki, Silwan. Mohammed F. Al-Sirghi, 21, Al-Sawahra. Mohammed Fawzi, 21, Al-Sawahra. Mohammed Al-Emousi, 22, Betounia. Majdi S. Al-Maslmani.

1967 Occupied Gaza Strip:

Bassam F. Al-Bilbasi, 48, Gaza. Mohammed J. Al-Durra, 12, Bureij. Mohammed N. Al Utul, 16, Gaza. Mahir R. Obeid, 22, Jabalya. Samer F. Al-Taramsi, 19, Gaza. Mohammed G. Al-Nabeeh, 20, Gaza. Hatim A. Al-Najjar, 27, Khan-Younis. Salah Abu Qnais, 20, Bureij. Muslih H. I. Jarad, 17, Deir-Al-Balah. Muhsen H. Abu-Jarad, 16, Deir-El-Balah. Fahmi Abu-Ammounah, 28, Nuseirat. Ismail S. Shamallakh, 27, Gaza. Omar M. Abed, 20, Beit-Lahia. Ammar K. Al-Rifa'i, 18, Maghazi. Mohammed Abu-Oubed, 17, Al-Nusyrat. Omar M. Suliman, 18, Jabalya. Sharif F. Ashour, 18, Gaza. Ayman A. E. Al-Loh, 21, Hay-Al-Daraj. Mohammed Y. Abu-Asi, 12, Bani-Suhaila. Luay Al-Muqayyad, Gaza. Marwan A. Shamlakh, Gaza. Saleh I. Arrayas, Gaza. Wajid M. Abu-Aouad, Khan-Younis. Yousif Diab Khalaf, 15, Bureij.

1967 Occupied West Bank:

Ashraf M. Ayyash, Halhoul, Hebron. Mohammed Y. Al-Zama'reh, Halhoul, Hebron. Arafat A. J. Al-Atrash, 18, Hebron. Mahmoud Lufti Mass'ad, 24, Hebron. Amjad M. Al-Zir'i, 36, Jenin. Ibrahim S. N. Barahmah, 27, Jericho. Mohammed A. Al-Sujadi, 19, Uqbat Jabr, Jericho. Zakariah Al-Kilani, 22, Series-Jenin. Khadra A. H. Abu-Salama, 57, Jenin. Khalid Al-Bazyen, 14, Nablus. Amjad A. Darahmah, 22, Tubas, Nablus. Mahmoud D. Anbara, 20, Anabta, Nablus. Mahmoud A. Rweishid, 20, Nablus. Imad Amshah, Nablus. Mohammed J. Abed-Al-Razeq, Nablus. Jihad M. Al-Aloul, 16, Nablus. Iyad M. Al-Khushashi, 18, Nablus. Husam N. Bakhit, 20, Balata/Nablus. Samer S. Tabanjy, 12, Nablus. Mustafa H. M. Ramadan, 26, Nablus. Sarah A. Hasan, 1.5, Nablus. Wail T. Qattawi, 16, Balata/Nablus. Ahmad A. Al-Nabrissi, Askar/Nablus. Mohammad H. T. Al-Dakhil, 17, Balata/Nablus. Dia' A. Issa, 19, Salim, Nablus. Iyad A. Ishtayah, 24, Salim, Nablus. Nizar M. Idah, 16, Ramallah. Imad A. R. Al-Anati, 29, Al-Ama'ri/Ramallah. Salah Al-Faqih, 25, Qattanah, Ramallah. Mohammed N. A. H. Dawoud, 14, Al-Bireh, Ramallah. Mohammed Al-Missri (Lufti), 25, Ramallah. A'la' Al-Barghouthi, 24, Aboud, Ramallah. Husein A. Quran, Ramallah. Mohammed T. Qalaq, 22, Tulkarem. Husam I. Al-Hamshri, 15, Tulkarem. Mohammed F. Ghanem, 22, Tulkarem. Mohammed W. F. Na'sa, 20, Deir-Al-Ghusoon, Tulkarem. Mohammed K. Tammam, Tulkarem. Mustafa Al-Fararjah, 22, Deheisheh/Bethlehem.

Palestine 1948/Israel:

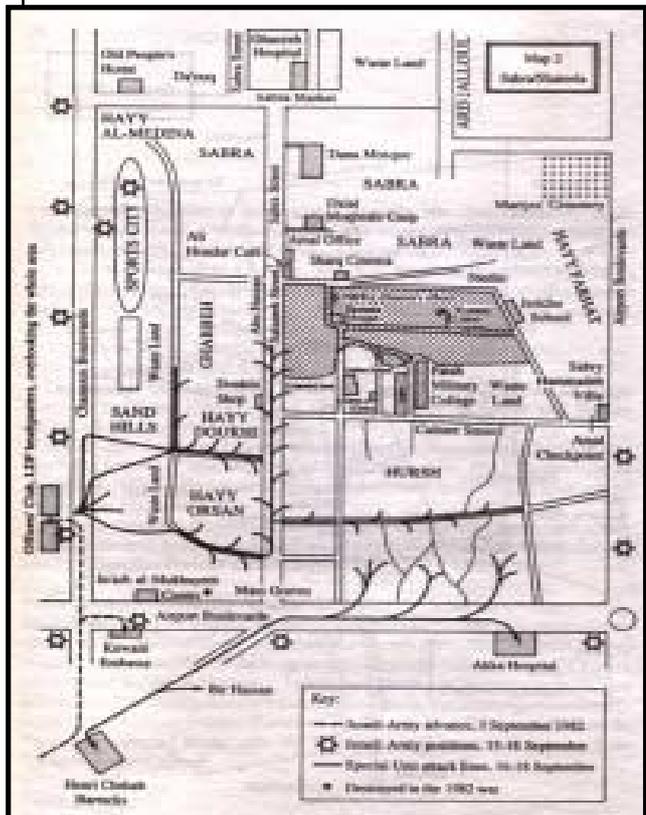
Iyad Lawadneh, Nazareth. Mohammed Ghunem, 29, Sakhnin. A'la' K. Nassar, 17, Arabeah-Algalel. Hassan A. El-Latf, Kura'n. Ramiz A. Boshnaq, 20, Kufur Manda. Mohammed K. Khmayseh, 18, Kufur Kana. Mohammed A. Jabareen, 23, Um-Al-Fahm. Ahmad I. S. Jabareen, 18, Um-Al-Fahm. Rami H. Ghurrah, 19, Jat-Al-Mutjallath. Iyad S. Lawabneh, 20, Nazareth. Imad Faraj, 25, Sakhnin. Walid A. Abu-Saleh, 21, Sakhnin. Aseel H. Atallah, 21, Arrabat Albatof. Ramiz A. B. Abbas, 20, Nazareth.

Feature:

Remembering Sabra and Shatila, Deir Yassin, Dawayma ... Massacres, War Crimes, Crimes Against Humanity

Between September 16-18, 1982, several thousand Palestinian refugees - men, women, and children - were brutally slaughtered by Lebanese Christian Phalangist forces allied with Israel, while Israeli forces looked and prevented refugees from fleeing the camps.¹ The massacre happened within weeks of the US brokered withdrawal of PLO fighters from Lebanon in the late summer of 1982. Left without protection, Israeli-allied Lebanese forces were able to enter the camps of West Beirut without opposition. On September 16, the day the massacre began, General Amos Yaron, commander of Israeli forces in Lebanon - and now Director General of the Israeli Defense Ministry - provided Lebanese Forces Intelligence with aerial photographs to arrange entry into the camps. Researcher Rosemary Sayigh describes the scene as the massacre unfolded:

"The targeted area was crammed with people recently returned from the places where



MAP: Rosmary Sayigh, Too Many Enemies, 1994

they had taken refuge during the war, now supposedly over. Schools would soon open, everyone needed to repair their homes, clear the streets and get ready for the winter. There was fear of what the regime of Bashir Gemayel would bring, but there was also determination to rebuild. People felt some security from the fact that they were unarmed, and that all who remained were legal residents. Many of the massacre victims were found clutching their identity cards, as if trying to prove their legitimacy.

One contingent of the [Lebanese] Special Units commanded by Hobeiqa entered the area through the sand-hills overlooking Hayy Orsan, just opposite the IDF headquarters. At this stage they were almost certainly accompanied by Israeli soldiers, since the dunes had been fortified by the Resistance. Another contingent entered through the southeastern edge of the Hursh, between Akka Hospital and Abu Hassan Salameh Street. Apart from co-planning the operation and introducing the Special Forces into the area, the IDF provided several kinds of back-up: they controlled the perimeters and prevented escape through light shelling and sniping, as well as by blocking the main exits; they also used flares to light up the narrow alleys at night."²

Groups Start Work on a Memorial to the Victims of Sabra and Shatila

* On Friday 15 September 2000 a joint initiative of three networks of Palestinian non-governmental organizations (NGOs) began soliciting contributions towards the building of a memorial to the victims of the Sabra and Shatila massacre. Eighteen years later, there is still no memorial in the camps commemorating the murders committed there. The campaign to build a memorial to the victims of Sabra and Shatila is led by Ittijah, Union of Arab Community Based Associations, the Palestinian NGO Network, and the Coordination Forum for Palestinian NGOs in Lebanon. For more information about Ittijah or the campaign to build a memorial to the victims of Sabra and Shatila see:

www

www.ittijah.org or contact Ameer Makhoul, Director, Ittijah at (04) 862-1713 or ameer@ittijah.org.

* In Italy, the newspaper *il manifesto* has also launched an appeal together with Italian parliamentarians and activists to help create a memorial for the massacre at Sabra and Shatila.

For more information contact: schiarin@ilmanifesto.it

Sabra and Shatila, An Eye-Witness Account

Speech to Right-of-Return Rally, Washington DC by Musa al-Hindi

As I entered Shatila on the morning of September 19, 1982 I recalled how, as a Palestinian, I have always feared September. After all, it was during September that thousands of my people were killed in Irbid, Ajloun and Jarash. It was also during September, five years later, that our people finished burying the hundreds who were murdered in Tel al-Za'tar. And here we were again, this time in Shatila, having to mass-bury more Palestinians and Lebanese whose American and European protectors had abandoned to the wrath of Israel and its allies, by withdrawing before the date set by the Americans and the Palestinian leadership. The first body I saw belonged to a man, perhaps in his



seventies, lying in a pool of dried up blood, his artificial leg detached from the rest of his body. From one side of the street to the other, many of the black corpses that I encountered were those of women and children whose husbands and fathers had been assured by the US administration that no harm would befall their loved ones if they agreed to leave Beirut. Some, especially those involved in the charade known as the peace process, accuse us of refusing to forget. How can we forget when every day the violence of poverty and powerlessness denies adequate nutrition and health care to the children of Sabra and Shatila to the extent that they are visibly stunted and scarred. How can we forget when systematic discrimination against Palestinian exiles and the trauma it generates has led to a sharp rise in domestic violence, debilitating depression, drug abuse and suicide? You see, the massacre of Sabra and Shatila may have been extreme, but it was not an exception. It was part of a premeditated pattern that will continue so long as our people are refugees whose lives depend on the whims of indifferent others. Yet, we must not be paralyzed by pain and grief. The balm for our pain is not self pity and withdrawal; not prayers; not self-consuming anger. Rather, the end to our collective grief lies in a future of action. [...]

When Israel finally ordered the withdrawal of the Lebanese Special Forces two days later on 18 September 1982, the camps had been destroyed and several thousand refugees had either been slaughtered or had disappeared. Today one of the mass graves is used for dumping garbage and another has been paved over for a golf course. An Israeli Commission subsequently found then Defense Minister Ariel Sharon who now heads the Likud party indirectly responsible for the massacre.

Massacres and the Nakba



PHOTO: *Sabra & Shatilla*, In The Memory. Dar el-Janoob Press, Tunisia, September 1983, p. 28-29

Sabra and Shatila, however, were not an aberration in the fifty-two years of Palestinian exile. According to a recent compilation of studies based on UN and Israeli archives, more than 30 documented massacres were committed by Zionist/Israeli forces during the 1948 war in Palestine. This included 24 massacres in the north (Galilee), 5 massacres in the central area of Palestine, and another 5 in the south.³ A considerable amount of information held in Israeli archives remains inaccessible to researchers for so-called reasons of state security. Based on a more comprehensive review of some of the files, one Israeli historian suggests that more than 100 massacres were committed during the 1948 war, including 10 "major" massacres.⁴ The most well-known of these are the massacres at Deir Yassin, Dawayma, and Tantoura.

Deir Yassin (Jerusalem)

On 9 April 1948 Irgun (IZL) and Lehi (LHI) units, supported by Haganah mortaring, attacked the village of Deir Yassin on the western outskirts of Jerusalem. During the battle Palestinian families were slaughtered in or near their homes. According to the Irgun officer, Yehuda Lapidot, the Stern Gang, "put forward a proposal to liquidate the residents of the village after the conquest in order to show the Arabs what happens when the Irgun and the Stern Gang set out together on an operation"⁵ One of the aims of the attack was "to break Arab morale"

and create panic throughout Palestine. Benzion Cohen, the Irgun commander of the raid, later recalled that at the pre-attack meeting "the majority was for liquidation of all the men in the village and any others found that opposed us, whether it be old people, women and children."⁶ After Zionist forces took control of the village, many of the remaining villagers, including children, were rounded up and shot. The surviving inhabitants were expelled to Arab controlled eastern Jerusalem. More than 100 Palestinians were killed in the massacre. The words "Deir Yassin" became a watch-word for Palestinian Arabs throughout Palestine, creating a climate of fear that, combined with Zionist offensives, led to the mass exodus from other villages.

Mohammed Aref Sammour witnessed the slaughter of many of his relatives and neighbors.

In a house not far from his own, "There were twenty-five people, twenty-four were killed and only one could escape through a window. They used grenades and after they stormed the house they used machine guns. In another house they captured a boy who was holding the knee of his mother. They slaughtered him in front of her." Sammour saw a family of eleven people attempt to surrender but the terrorists gunned them down, including a woman of eighty and a boy of three or four years old.⁷ In another case, two villagers were tied back to back and a stick of dynamite was placed between their heads; the stick of dynamite was shot blowing the heads off of the victims. According to the report filed by the chief Delegate of the International Committee of the Red Cross in Jerusalem, the villagers were deliberately massacred in cold blood.

"The Jews ordered all our family to line up against the wall and they started shooting us," recalled another survivor. "I was hit in the side, but most of us children were saved because we hid behind our parents. The bullets hit my sister Kadri [four] in the head, my sister Sameh [eight] in the cheek, my brother Mohammed [seven] in the chest. But all the others with us against the wall were killed: my father, my mother, my grandfather and grandmother, my uncles and aunts and some of their children."⁸

According to another survivor interviewed several years ago by BADIL, "There was a youth with them, his name was Abdallah Abdelmajid Samour. He was 23 years old and working with the telephones. He had a small son of three-four months. At Racheli's house they saw him among the women, took him off the truck, shot him in front of his wife and his mother, dragged him on his back about 100 meters on the ground to a quarry - there is a quarry there, about 10 meter deep - and they threw him into the quarry. There were eight youth, my dear - you reminded me - they put them up along the wall of Haja Sabha Radwan - I am sure the wall is still there - and they shot them in one row in front of the women, eight youth."⁹

Al-Dawayma (Hebron)

According to an Israeli soldier who witnessed the massacre, between 80 and 100 men, women, and children were killed in the village of Dawayma on 29 October 1948 after Israeli forces entered the village.¹⁰ Other sources place the figure as high as 300. Children were killed by breaking their heads with sticks. Several villagers died when the houses in which they were taking shelter were intentionally blown up by Jewish soldiers. Other

villagers carried out forced labor for the soldiers for several days, including a mother with a newborn infant. They were then shot. After more than three requests, UN investigators were finally permitted to enter the village. The Belgian member of the investigating team Van Wassenhove noted that the houses in the village were still smoking and that some of the homes "gave a peculiar smell as if bones were burning."¹¹ Wassenhove was not permitted, however, to enter the homes. Investigators were also denied entry into the village mosque and key areas of the village. At one point during their investigation, the team happened upon the body of a Palestinian civilian. Israeli officials accompanying the team prevented further examination of the body. Following consultations with the investigating team, the American Consul in Jerusalem cabled Washington to report that the "Investigation by the UN indicates massacre occurred but observers are unable to determine number of persons involved."¹²

According to the village's former Mukhtar, interviewed by the Israeli daily Hadashot, "The people fled, and everyone they saw in the houses they shot and killed. They also killed the people in the streets. (...) At about half-past ten, the two tanks passed the Darawish Mosque. About 75 old people were there, who had come early for Friday prayers. They gathered in the mosque to pray. They were all killed." The mukhtar also said that about 35 families were hiding in caves outside the village. When the Israeli soldiers discovered them, "They told them to come out and get into line and start to walk. And as they started to walk, they were shot by machine guns from two sides ... We sent people there that night, who collected the bodies, put them into a cistern, and buried them." The mukhtar later showed an Israeli journalist the cistern where the bodies had been buried. The cistern was partially excavated revealing the remains, including skulls, of three persons, one being a child. The bones were reburied and no further exhumation was done.¹³

Al-Tantoura (Haifa)

According to recently uncovered evidence by Israeli researcher Teddy Katz, Israeli troops massacred 200 Palestinians in Tantoura on 15 May. The massacre took place during the night and lasted several hours. Fawzi Tanji, now 73 and a refugee at a camp in the West Bank, described how he had watched as Israeli troops took over the village. "I was 21 years old then," said Tanji. "They took a group of ten men, lined them up against the cemetery wall and killed them. Then

they brought another group, killed them, threw away the bodies and so on." Tanji said the killing stopped when a Jew from the nearby settlement of Zichron Yaacov arrived at the scene, took out a pistol and threatened to kill himself unless the soldiers stopped the executions. Katz said that other Palestinians were killed in their homes or in other parts of the village. At one point, he said, the soldiers shot at anything that moved.

**Newly Established:
Committee Against the Denial of al-Nakba
and for the Defense of Researchers in
Israel**

Earlier this year, MA research (Haifa University) of Israeli Kibbutznik Teddy Katz had revealed a previously little documented massacre committed by the Israeli Alexandroni Brigade (first Hagana, then IDF) in 1948 among the Palestinian villages of al-Tantoura. The research findings caused stormy debates among the Israeli academic and political establishment and attracted international attention. Today, several months later, Teddi Katz is facing a precedent-setting libel suit filed by a veteran organization of the Israeli perpetrators quoted in his research. The court hearing at the Tel Aviv District Court is scheduled for 6 December 2000.

Based on the understanding that this libel suit against the Israeli researcher represents an effort to threaten other researchers who reveal unpleasant chapters of Zionist history and to deter future research about Israeli responsibility for the Palestinian Nakba (catastrophe; eviction in 1948), Palestinian institutions in Israel decided to take preemptive action. Thus the Committee Against the Denial of Al-Nakba and for the Defense of Researchers, initiated by the Society for the Defense of the Rights of the Internally Displaced in Israel was established in July 2000. The Committee obtained an agreement with the Palestinian human rights organization Adalah, whose lawyers will take up the defense of Teddy Katz in the upcoming court hearing.

The Society for the Defense of the Rights of Internally Displaced in Israel (formerly: National Committee for the Defense of the Rights of the Internally Displaced) was recently licensed in Israel, following a prolonged legal battle over its registration by the Israeli Authorities. The Society represents the needs and interests of the some 250,000 internally displaced Palestinians in Israel, lobbies and networks for their right to return and restitution, and encourages research and documentation of the Palestinian Nakba in 1948.

For further information and donations contact:
Suleiman Fahmawi, spokesperson; tel. 050-267679

Eilaboun (Acre)

In the village of Eilaboun in the northern district of Ako (Acre), UN investigators interviewed witnesses to the massacre of local youth by Israeli forces after the village had surrounded at the end of October 1948. According to the testimony given by Father Hanna David, head of the local Catholic church, and Father Elias, head of the Orthodox church, and recorded in a set of files on atrocities during September through November 1948, 13 young men were murdered by Israeli troops. The file lists the names of the young men and the location of their murder: (a) in front of Father Murqus's house: Badiah Zuraiq 24, Foad Nofal 22, Jabri Haiek 23 and A'azaz 30; (b) At the village northern entrance: Fadel A'ailaboni 17, Milad Faiad 22 and Zaki Mousa 22. (c) In the fields: Hanna El-Khori 35, Naa'em Zraiqa 36 and Muhammad Khaled 30; and, (d) Near the cemetery (north the village): Raja Khalil 27, Michael Shami 35 and Abdullah Shofani 18. According to one eye-witness, "We saw the blood everywhere, and we found out later that before shooting the victims, the Israeli officer had yelled, 'you want war? This is the war.'" During the 5 day Israeli occupation of the village, houses were plundered, doors and windows were broken, furniture destroyed, and religious sites were desecrated.¹⁴

Crimes against Humanity, War Crimes, and International Protection

Other crimes, however, were committed against Palestinians during the war which are prohibited under international law. Over 500 villages were destroyed, and homes were looted, bulldozed and dynamited, in order to force Palestinians out of areas conquered by Zionist/Israeli forces and to prevent the refugees from returning. Villages were shelled, and hit with continuous rounds of mortars in order to "flush" out the civilian inhabitants. Writing in his journal at the end of March Khalil Sakakini, a prominent Palestinian Jerusalemite, wrote, "The Jews launched a heavy attack on our neighborhood ... last night. There were explosions the likes of which were never seen. [Lord] Kitchener, in all his battles, did not hear what we heard tonight ... The constant whistle of bullets and thunder of shells ... was unlike anything heard in previous wars ... No wonder this situation has made residents consider moving to another neighborhood or town ..."¹⁵ Refugees fleeing their villages for safe areas were attacked, robbed, and in some cases massacred, while others died from the stress and strain of the



PHOTO: *Sabra & Shatila*, In The Memory. Dar el-Janoob Press, Tunisia, September 1983, p. 70

situation. Often, rounds of live-fire and mortars were shot in the direction of fleeing villagers in order to encourage their flight. Incidents were occasionally investigated, but the perpetrators were either punished lightly or released without charge.

The protection of civilians in times of war is clearly guaranteed in international law, including the Hague Convention of 1907, the Geneva Conventions of 1949 and more recently under the 1998 Statute of the International Criminal Court. Under the 1998 Statute, Article 7(1), crimes punishable as crimes against humanity include murder, deportation or forcible transfer, rape, and persecution against any identifiable ethnic group or collectivity on political, racial, national, or other grounds, when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack.¹⁶ War crimes include grave breaches of the 1949 Geneva Conventions, willful killing, extensive destruction and appropriation of property, not justified by military necessity, and unlawful deportation or transfer, intentional attacks directed at the civilian population, intentionally launching an attack in the knowledge that such attack will cause incidental loss of life or injury to civilians or damage to civilian objects, killing or wounding a combatant who has laid down his arms and no longer has a means of defense, transfer of civilian population of the occupying power into the occupied territory, and pillage, among others.¹⁷

Regardless of whether refugees left Palestine in 1948 because of the massacres or other kinds of war crimes and crimes against humanity, all refugees are guaranteed the right of return under international refugee law and the wider body of international human rights law. Outside the issue of the return of Palestinian refugees, which the UN High Commission for Human Rights has noted is indispensable for reintegration, reconciliation and reconstruction, a stable and just peace must address the issue of war crimes and crimes against humanity. In the case of Rwanda and the former Yugoslavia, International Tribunals have been established to deal with crimes not unlike those committed against Palestinians in 1948 and later in Sabra and Shatila. Nearly two decades later, not one person, neither Sharon nor Yaron, has ever been brought before an international tribunal for war crimes and crimes against humanity even though there is no statute of limitations on war crimes, and despite the growing amount of evidence of such crimes.

Notes:

- (1) It was never possible to make an accurate count of the victims: an IRC representative counted 328 bodies, excluding mass graves or the "disappeared". Israeli figures, based on IDF intelligence, cite a figure of 700-800. One journalist cites a figure of 3,000. A Kapeliouk, *Sabra and Shatila: Inquiry into a Massacre*. Belmont, MA: AAUG, 1984.
- (2) Rosemary Sayigh, *Too Many Enemies, The Palestinian Experience in Lebanon*. London: Zed Books, 1994, pp. 117-18.
- (3) Salman Abu Sitta, *The Palestinian Nakba 1948*. London: Palestinian Return Centre, 1998.
- (4) Israeli historian Uri Milstein cited *ibid.*
- (5) Jabotinsky Archives (Tel Aviv) 1/10-4K cited in Michael Palumbo, *The Palestinian Catastrophe*, p. 48.
- (6) *Ibid.*
- (7) Middle East Center, St. Anthony's College (Oxford): Thames Interviews, box II, file 4, cited *ibid.*, p. 50.
- (8) Fahmi Zeidan, quoted in Larry Collins and Dominique Lapierre, *O Jerusalem*, New York: Simon and Schuster, 1972, p. 274.
- (9) Umm Yasser, Interview by BADIL, March 1998
- (10) Benny Morris, *The Birth of the Palestinian Refugee Problem, 1947-1949*. Cambridge: Cambridge University Press, 1987, pp. 222-223.
- (11) United Nations Archives 13/3.3.1, box 11, Atrocities September-November cited in Palumbo, pp. xiii-xiv.
- (12) US State Dept. Files 867 N.01/11-1648, National Archive (Washington, DC) cited *ibid.*
- (13) Walid Khalidi (ed.), p. 215.
- (14) Salman Abu Sitta, "Jewish carnage policy aimed to evacuate the Galilee Palestinians As mentioned in the UN officers' reports in 1948" *al-Hayat* (London), 6 February 2000, p. 10.
- (15) Morris, p. 51.
- (16) Article 7, Rome Statute of the International Criminal Court, UN Doc. A/CONF.183/9, 17 July 1998.
- (17) Article 8, *ibid.*

New BADIL Research Report

(Executive Summary)

Terry Rempel, BADIL Resource Center, August 2000

"When Refugees Go Home: Repatriation, Restitution and the Palestinian Refugee Case - A Comparative Approach"

This report examines the Palestinian refugee case within the context of international refugee law and practice. The report focuses primarily on repatriation and the related element of restitution, recognizing, of course, that refugees may opt for other solutions - i.e. host country absorption and resettlement. Without prejudice to the right of refugees to these latter choices, the report focuses on repatriation and restitution, because they have, historically, been denied to Palestinian refugees.

The dearth of research on repatriation and restitution for Palestinian refugees within the context of international refugee law has had negative consequences for Palestinian refugees, both from a rights enforcement and policy perspective. On the one hand, there has been a paucity of legal and political tools for effective advocacy of Palestinian refugee rights. On the other hand, most policy initiatives, academic and governmental, have tended to focus on so-called practical solutions that are inherently inconsistent with international refugee law and the larger body of international human rights law. Much of this research to date is based on subjective political considerations (i.e. the balance of power in the region) rather than objective legal principles applied to other refugee cases (two recent examples from an academic and policy perspective respectively, are Donna Arzt, "Refugees into Citizens" New York: Council on Foreign Relations Books, 1997; and Phyllis E. Oakley, "Act Now on Mideast Refugees," Washington Post, 6 July 2000).

This report is not primarily a legal analysis of the status and rights of Palestinian refugees under international refugee law. Rather, the report uses comparative analysis of the Palestinian refugee case with other major refugee cases in the 20th century in order to highlight the many similarities between Palestinian and other refugees, and more importantly to provoke new thinking about the principles and modalities of a durable solution.

Available in English and Arabic from BADIL. Since this executive summary is a preliminary report on the findings of ongoing research scheduled for completion later this year, the summary will be released only upon explicit personal requests. Please include in your request: a) a brief description of the purpose/context of your request; b) a commitment to abstain from public circulation.

Refugee Voices:

On Saturday 29 July 2000, over 500 Palestinian children and youth from refugee camps in Lebanon and the West Bank journeyed by bus to the border between Lebanon and 1948 Palestine/Israel to meet and call for the right of return. Within minutes of arriving at the border, the Israeli military set up a roadblock to prevent refugees from the West Bank from reaching the fence at Fatima Gate to greet their brothers and sisters from the camps in Lebanon, and exchange gifts, including material for the Campaign for the Defense of Palestinian Refugee Rights, personal addresses, and email addresses.

For more than an hour activists from BADIL Friends Forum and the children themselves, attempted to persuade the Israeli military to allow the children to reach the fence. "They have kept us apart for more than 50 years," said one girl, "and all we want is 5 minutes to see each other, and they won't even allow us that." Having spotted glimpses of their brothers and sisters on the Lebanese side of the border, some of the young people climbed a nearby abandoned building to waive Palestinian flags so that those in Lebanon could see those from Palestine. Within a short time, the young people from the Lebanese side of the border had climbed to the top of a 5-story building, also waving flags. Both sides attempted to communicate with each other via megaphones.

While the children on both sides of the border were disappointed that they were prevented from meeting and embracing each other, the day strengthened the feeling of being united as one people and the determination to return to their homeland. The day was also a reminder of the importance of educating the new generation about their inherited right of return to their villages of origin, and the right to restitution of their properties and lands, especially at a time when there is great pressure by Israel, with the support of the Clinton administration, to reach an agreement not based on UN Resolution 194 (III) and the basic principles of international law. The day also highlighted Israel's responsibility for the refugee issue, its violation of UN resolutions and international law, not only with regard to the right of return, but also concerning the simple right of people and families to be together.

The visit was coordinated by BADIL/ BADIL Friends Forum in the West Bank and Ai'doun in Lebanon, in conjunction with grassroots partner organizations in the West Bank refugee camps of al-Fawwar, Deheishe, 'Azza, 'Aida, Balata, Nur Shams, Askar, and Ein Beit Alma, and the Lebanon refugee camps of Shatila and 'Ain al-Hilwe.

Below are excerpts of a letter from partners in Lebanon describing the visit.

Refugees Embrace the Right of Return Across the Border



PHOTO: Greeting Palestine from the Lebanese side of the border; BADIL, 29-7-2000

The youngsters from Shatila camp could not wait for the sun to rise on the day of the meeting. On Saturday, 29 July 2000, the youngsters gathered in front of the youth center in the camp. Everything was ready. Impatiently they waited, everyone was singing, smiling, laughing, and dancing, because most of them had not yet seen the southern liberated border of Lebanon or the soil of beloved Palestine.

The first group started from Shatila camp in Beirut and journeyed toward Ein el-Hilwe camp (40 km south of Beirut) in Saida where they were supposed to meet the others. Suddenly, amid the chaos, the beat of the drums was cut short, and the songs for Palestine stopped. Someone had raised a question. "How would they recognize us?" Some started to talk about their expectations of the meeting. Others who had already visited the border began describing the visits, "When we met at al-Dahera Gata..." It was the most interesting experience they had ever had. The expressions on their faces can't be described. The questions never ended, mixed with love, longing, and uncertainty. The children were anxious to meet others who they never knew, but nevertheless considered them as dear relatives and sons coming from the heart of their homeland Palestine. They imagined warmly greeting them, giving them their names, telephone numbers, and email addresses and to make plans in the hope of coming together for another meeting...

The buses that were waiting for us in front of the Ein el-Hilwe camp were over-crowded. There was not a single space left. Still, youngsters were looking for seats and saying, "Take me with you. I don't want a seat." "I'll stay standing the whole way." "It's unbearable, impossible, that I'll miss seeing dear relatives and from beloved Palestine and to miss having my eyes washed with the sight of the homeland..." We hesitated, caught between these sentiments and the thought of leaving them behind. In the end we decided to take an additional bus.

Everybody was waiting to hear the news from the brothers from BADIL in Palestine via the cellular phone, which was covered with telephone numbers. Hours went by, time passed quickly. The temperature outside was hot, but it was even hotter inside the bus as the excitement and enthusiasm continued to increase. The youngsters were singing national songs as their voices grew louder and their throats opened even wider. They also sang other emotional songs, thirsty for love and happiness. It was the experience of a lifetime. And then they would return back to think about the purpose of the trip, sitting in silent scrutiny of the sights they passed on the way to the border. Moments later, voices would rise again in national song, at times interrupted by questions. Mohammed kept asking, "Where are we now? Others asked, "Were these occupied areas before? How far is the border from here? Is this area in Lebanon or Palestine?"

The cellular rang ... complete silence ... a voice from Beirut was on the line saying that the brothers in Palestine had already called to inform that they had reached Tabariya (Tiberias) on the way to al-Matalla. Screams and shouts of joy filled the air, and the news was transferred to the other buses. We would reach the border first, which is good because our brothers on the other side would not have to wait under the heavy heat of the sun.

And then we arrived, adjacent to al-Matalla settlement in Palestine. One of the girls named Amanda shouted, "Palestine is exactly like I drew it". The ten-year-old girl had never seen Palestine, but she had imagined what it was like, and set her imagination to paper in a drawing competition on Palestine at the Children and Youth Center in Shatila. The barbed wire fence is the only thing that separates occupied Palestine and Lebanon.

Everyone was shocked, eyes wide open, as they stared at the homeland. They didn't have

words to describe what they were feeling. Soil is soil, but they wanted to describe the magic and charm of both the ground and the homeland. Palestine was a prisoner of that barbed wire. So many questions were running through the minds of the boys and girls; reaching the edge of their homeland, which they have dreamt and talked about since the day they were born, and seeing it only brought more questions. Hear is the Palestine that they also sing about, and write poems about, even though they had never seen it until today. One of the youngsters shouted, "What will happen if we remove this fence and enter our homeland?"

By now, the cellular phone had taken on a special significance. Everyone was waiting to hear from those in the other side. We moved from place to place, trying to find the best location for the frequency of the phone ... here it's good ... no, here it's better ... watch out, be careful ... we shouldn't occupy the line, our people are waiting and they will call us when they arrive From time to time someone came to ask if they had called. Embarrassed, we had to answer, "No".

At mid-day the sun was already burning and the face of the children started to become red. Under one of the roofs they gathered and began to dance and sing. Boys and girls joined in the dabke, dancing to the beat of the drums. Others went up to the upper floors of the building hoping to see those who would be coming from the other side. They looked towards the horizon, hoping to see them from afar. The enemy was not satisfied with one barbed wire fence on either side of the border. Cement blocks, 2 meters high, had been placed at the fence to prevent people from seeing and reaching each other.

All of a sudden, from the top of the building, some started to shout, "They are there, they are coming!" From over the apple trees, we could see the ends of the Palestinian flag playing with the wind ... everyone start running toward the 50 cm-concrete fence. Voices and shouts became mixed together. "Wave the flags to let them see us!" "They are coming slowly". In fact we saw nobody. Some of the older youth started to search for ways to see them from behind the trees. One of the youth was sent to check out the view from an unfinished building a little further from the border. "Come, come here," he shouted. "The view is much better from this building." We brought with us loudspeakers in case we couldn't reach the fence and speak face to face; just as they do in the occupied Golan where the people

of Majdal Shams talk to their relatives on the other side of the border in Syria with a loud-speaker.

We carefully climbed the five floors, one after the other, holding the hands of the children and checking each floor to see if the view was clear or not. "Yes they are there, not more than 300 meters away." "They are arguing with the enemy soldiers to come close. They must succeed, just to come a little closer so we can see them." "But it seems that it doesn't work." Flags waved without stopping, and through the speakers we sent our warm greetings and welcome to our beloved, dearest brothers from Palestine. We urged them, "Make another try. Try to come closer. Try to speak with them." We tried again, and again, repeating our demand. But to no avail. The matter is not in their hands. More enemy soldiers arrived at the border.



PHOTO: Refugee Children on the Israeli side of the border; BADIL, 29-7-2000

The blood started to boil, and the anger increased. In loud voices and over the megaphone, the youth started calling the descendents of Jerusalem, Jaffa, Hebron, Ramallah, Bethlehem, Safad and Nazareth, Gaza and Jericho, Nablus and Acre, to every inch of Palestine. "All of our greetings and love!" We shouted loudly, "Remain steadfast, we are with you, the occupation will not separate us, we will liberate Palestine from the dark forces. The children of the refugee camps in Lebanon, the Lebanese, and the Arab nation, we will not give up, we will continue fighting, victory is coming, if not today then tomorrow, and if not tomorrow, then the day after. We will return, we will be unified, and the families will be together again. We will live freely in peace and dignity on the soil of Palestine, the whole Palestine from the sea to the river. We will have victory over the Zionist enemy. Palestine will be free, independent and it will prosper."

These words came from the depths of the heart. They were not prepared. They were not for public consumption or the media, but from the heart, expressing the great love, and a pledge to continue the struggle until the liberation and freedom of our kind homeland. We were not sure if the words from our hearts reached the hearts of our people on the other side of the border. We couldn't see the expressions on their faces, just the waving of the flags.

"Good bye, say hi to the whole family, say hi to the whole of Palestine..."

We sent these words through the megaphone as they were waving their hands, and we were receiving the same message as they got onto the three big buses and would take our dear ones, and our hearts and feelings, far away to the heart of Palestine. But they are lucky to at least be in Palestine. Filled with sadness, our eyes followed them as they left, hoping we could run behind them just as our eyes followed them into the distance.

Abu Mujahed
Children and Youth Center, Shatila Refugee Camp

resources

Executive Summary "**When Refugees Go Home**" (August 2000) (*English and Arabic*)
Electronic copies (not for citation) available from BADIL.

Jerusalem 1948: The Arab Neighbourhoods of the City and Their Fate in the War (BADIL/IJS, 1999) The book is available in *English with Arabic translation of the introduction*, 304 pages, US\$15. ISBN 0-88728-274-1

NEW: Arabic Edition forthcoming!

Refugee Campaign Packet: The Right of Return

(*English and Arabic, 2nd Edition, BADIL, 2000*)
The packet includes a program of action for the campaign, background information about Palestinian refugees, refugee lands and properties, the right of return, protection and assistance, and a list of Palestinian refugee organizations and NGOs. Includes Campaign Guidebook, Country Profiles - Palestinian Refugees in Exile, and BADIL Information & Discussion Briefs. US\$10.

New! Right of Return Postcards

The set of 7 black/white postcards highlight major components of the campaign for Palestinian Refugee Rights, including an historical overview, number and location of refugees, the right of return, right of restitution, refugee protection, refugee assistance and refugee empowerment. Use the postcards to educate others about Palestinian refugee rights!



Professional photos by Tineka D'haese, Oxfam Solidarity. Postcards are available from BADIL. For order by E-mail: info@badil.org



Professional photos by Tineka D'haese, Oxfam Solidarity. Postcards are available from BADIL. For order by E-mail: info@badil.org



Badil Information & Discussion Briefs

Brief No. 1: Reinterpreting Palestinian Refugee Rights Under International Law, and a Framework for Durable Solutions (Susan M. Akram-February 2000)

Brief No. 2: Fora Available for Palestinian Refugee Restitution, Compensation and Related Claims (Susan M. Akram-February 2000)

Brief No. 3: The Evolution of an Independent, Community-Based Campaign for Palestinian Refugee Rights in the 1967 Occupied Palestinian Territories and 1948 Palestine/Israel (Ingrid Jaradat Gassner-February 2000)

Brief No. 4: Temporary Protection Status and its Applicability to the Palestinian Case (Susan M. Akram-June 2000)

Brief No. 5: The United Nations Conciliation Commission for Palestine, Protection and a Durable Solution for Palestinian Refugees (Terry Rempel-June 2000)

Brief No. 6: The UN Relief and Works and Relief Agency (UNRWA) and a Durable Solution for Palestinian Refugees (Terry Rempel-August 2000)

Additional Briefs forthcoming.

US\$5 print copies; free copies on the BADIL website (*HTML and PDF format*)

PLO Refugee Department: New Book: **The Final Status Negotiations on the Refugee Issue: Positions and Strategies**, Prepared and edited by the PLO's Department of Refugee Affairs (DORA), a publication which includes all papers submitted during proceedings of the workshop "Preparing the Final Status Negotiations on the Refugee Issue" held at the Nativity Hotel - Bethlehem, Palestine (August 28-29, 1999) is now available at both DORA and the PLOs Negotiations Affairs Department. Contents of the publication include an agenda of the workshop, analytical report on the workshop, papers submitted for publication by John Quigley, Guy Goodwin-Gill, Saji Salameh, Elia Zureik, Salim Tamari, Salman Abu Sitta, Jalal al-Husseini, and Atif Kubursi, and a selective bibliography. Contact: tel. 972-2-296-3741/6, fax, 972-2-296-3740, email, srantissi@nsu-pal.org; or DORA at tel. 972-2-298-4801/2 or fax 972-2-296-1313.

New Book! Imperial Israel and the Palestinians. The Politics of Expansion
Nur Masalha

In *Imperial Israel and the Palestinians*, Nur Masalha provides a history of Israel's expansionist policies, focusing on the period from the June War of 1967 to the present day. He demonstrates that imperialist tendencies in Israel run the political gamut, from Left to Right. Masalha argues that the heart of the conflict between Zionist immigrants/settlers and the native Palestinians as always been about land, territory, demography and water. He documents how Israeli policy has made it a priority to expel the Palestinians, either by war or peaceful measures. Published by Pluto Press.

For more information see www.plutobooks.com or email: pluto@plutobks.demon.co.uk



Videos

Yoom Ilak, Yoom Aleik, Palestinian Refugees from Jerusalem 1948: Heritage, Eviction and Hope (BADIL 1998) US\$ 25

Seeds of War in Jerusalem : The Israeli Settlement Project on Abu Ghnam Mountain (BADIL/AIC 1997) US\$ 10

Jerusalem: An Occupation Set in Stone? (PHRM 1995) US\$ 20

For a complete list of BADIL publications and videos, please visit the resource center website.

Websites

WWW

BADIL

www.badil.org

Across Borders Project

www.acrossborders.org

SHAML

www.shaml.org

Eye to Eye

www.savethechildren.org.uk/eyetoeye/

Palestinian Refugee ResearchNet

www.prrn.org

Palestinian Return Centre

www.prc.org.uk

Al-Awda, The Palestine Right to Return Coalition

<http://al-awda.org>

Al-Awda (London)

www.ataha.com/londonrally/

Council for Palestinian Repatriation and Restitution

www.cpr.org

All That Remains (Destroyed Palestinian Villages)

www.allthatremains.org

Centre on Housing Rights and Evictions (COHRE)

www.cohre.org

Office of the United Nations High Commission for Refugees

www.unhcr.ch

Office of the United Nations High Commissioner for Human Rights

www.unhchr.ch

Arab Association for Human Rights

www.arabhra.org

Adalah - The Legal Center for Arab Minority Rights in Israel

www.adalah.org

Nazareth Arab Institute

www.nai.org.il

from the editor

al majdal is named after one of the Palestinian cities in the south of Palestine, home to some 11,000 Palestinian women, men, youth, and children, which was brought to a sudden end by the forceful superimposition of the Israeli city of Ashkelon. Unlike many other towns and villages in Palestine, not all of the people of Majdal Jad, as it was known, had vacated their town during the war of 1948. More than 1,500 residents remained steadfast until 1950, when they were finally evicted by a combination of Israeli military force and bureaucratic measures reminiscent of the current Israeli policy of ethnic cleansing applied against Palestinian inhabitants in the eastern areas of occupied Jerusalem, in particular, and against Palestinians remaining in the area of historic Palestine. Thus, Palestinians of Majdal Jad were turned into refugees, most of them finding shelter in the nearby Gaza Strip. Like other Palestinian refugees, they have not disappeared. They have remained close to their homes and lands. Of old age now, they, their children and grandchildren have built new hopes and dreams based on the international recognition of their right of return, and struggled from the day when they would live as free citizens of al-Majdal/Ashkelon.

In this issue of **al majdal** we cover the recent growth in activism on the right of return around the world. Thousands of Palestinians and their supporters gathered in major cities around the world, in 1948 Israel/Palestine, and in the 1967-occupied Palestine on the 18th anniversary of the massacre of Sabra and Shatila to call for the right of return of Palestinian refugees, one of the largest and longest running refugee cases in the world today. The feature article in this issue provides more details about the history of massacres committed against Palestinians since 1948, highlighting both the absence and need for effective international protection. The glaring need for international protection was tragically demonstrated once again as al majdal went to print as Israeli forces fired on Palestinians demonstrating in support of their rights in Jerusalem. Issue number seven also provides an update on campaign(s) activities around the world, and follows new developments in refugee protection and assistance.

badil

بدیل - المركز الفلسطيني لمصادر حقوق المواطنة واللاجئين

aims to provide a resource pool of alternative, critical and progressive information and analysis on the question of Palestinian refugees in our quest to achieve a just and lasting solution for exiled Palestinians based on the right of return.

al majdal

مجدل جاد

al-majdal is an Aramic word meaning fortress. The town was known as Majdal Jad during the Canaanite period to the god of luck.

Located in the south of Palestine, al-majdal had become a thriving Palestinian city with some 11,496 residents on the eve of the 1948 war. al-majdal lands consisted of 43,680 dunums producing a wide variety of crops, including oranges, grapes, olives and vegetables. The city itself was built on 1,346 dunums.

During Operation Yoav (also known as 10 Plagues) in the fall of 1948, al-majdal suffered heavy air and sea attacks by Israel which hoped to secure control over the south of Palestine and force out the predominant Palestinian population. By November 1948, more than three quarters of the city's residents, frightened and without protection, had fled to the Gaza Strip.

Within a month, Israel had approved the settlement of 3,000 Jews in Palestinian homes in al-majdal. In late 1949 plans surfaced to expell the remaining Palestinians living in the city along with additional homes for new Jewish immigrants. Using a combination of military force and bureaucratic measures not unlike those used today against the Palestinian population in Jerusalem, the remaining Palestinians were driven out of the city by early 1951.

Palestinian refugees from al-Majdal now number some 70,595 persons of whom 51,400 are registered with UNRWA. Like millions of other Palestinians refugees, many of whom live close to their original homes and lands, they are still denied the right to return.

al majdal, BADIL's quarterly magazine reports about and promotes initiatives aimed at achieving the Palestinian right of return and restitution of lost property as well as Palestinian national rights in Jerusalem.