

# al majdal

ISSUE NO. 6 ~ JUNE 2000

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

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## Strategies for the Defense of the Right of Return in the Shadow of the *Final Status Negotiations*

The following interview with Tayseer Nasrallah (Yafa Cultural Center/Balata Camp; BADIL Board member; 1967 occupied Palestine) and Ahmad Othman (journalist; member of A'idoun Group; Lebanon) was conducted by BADIL in late May 2000 before the resumption of final status negotiations in Washington, DC, and before the death of President Assad of Syria. The current lack of information about the final status negotiations, unclear lines of authority and responsibility, and absence of communication between the negotiators and the refugee community has given rise to a deep sense of anxiety, augmented by the nature of the Oslo process itself, which was conceived behind closed doors. The sense of anxiety is particularly acute in Lebanon where refugees live under conditions of extreme political, social, and economic marginalization. The interview highlights the importance of refugee empowerment through strengthening of refugee initiatives, grassroots mobilization in defence of refugee rights, and building networks between refugees in the various countries of exile as well as between refugees and international NGOs and solidarity groups.

*Looking from your specific experience and socio-political context at the current efforts by the parties involved in the Israeli-Palestinian "final status" negotiations to achieve some tangible result by September 2000, what do you really expect to happen this year on the level of the political negotiations?*

**Ahmad Othman (AO):** The concern of broad sectors of the Palestinian people derives from the fact that the so-called peace process, since the 1991 Madrid Conference, has been based on an extreme imbalance of power. Israel, the powerful, has received the unlimited support of the United States. The latter has constantly lowered the ceiling of the negotiations from UN Resolution 242 - still the terms of reference in the Madrid Conference - to less than UN Resolution 242 in Oslo I, Oslo II, and the accords of Wye River and

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Shareem al-Sheikh. By accepting the leading role of the US in the negotiations, the Palestinian negotiators have in fact handed the file of Palestinian national rights to the US, and international law and resolutions providing for our right to self-determination, to an independent Palestinian state and the refugees' right of return, have lost their relevance for this negotiation process. At the same time, Israel is making full use of its material and ideological resources and of its broad public consensus, in order to back up its negotiators. When it comes to the core issues of the conflict, Jerusalem, refugees, borders and sovereignty, there is no difference between the position of Barak and Netanyahu. Moreover, Israel exploits its power by creating more facts on the ground, confiscating more Palestinian lands, building more settlements, and changing the demographic composition of Jerusalem. All this has created a situation in which the outcome of the negotiations is not a result of the cleverness of the negotiating parties, but is determined by the existing imbalance of power to the detriment of the Palestinian people and the other Arab parties in the region.

Based on the above, what can be the likely scenario given the narrow time frame set for the negotiations, i.e. 13 September for a final agreement? There are two scenarios. The first being a scenario in which each side sticks to its principles. In this case, there will be no agreement within the current time frame, because the issues involved are far too complex and sensitive. Secondly, there is a scenario in which the US presents a framework for a final status agreement, which allocates certain pieces of land to the Palestinian Authority (PA), and presents villages in the Jerusalem area as a substitute for Palestinian sovereignty over Jerusalem. Pending acceptance by the Palestinian negotiators, the PA will be permitted to declare its state on these areas. All this in exchange for major Palestinian concessions, especially the closure of the refugee file and the closure of all future options for claims for the right of return to homes and properties, as well as Palestinian recognition of Jerusalem as the united and eternal capital of Israel. This deal will include major concessions also on other important issues, such as Jewish settlements, borders, and water.

Unfortunately, based on our experience since Oslo, the second scenario is the more likely one. The fact that secret negotiations were launched in addition to the official track supports this scenario. It seems that the official negotiations are to serve, from now on, as a cover-up for the secret track - something, which is strongly reminiscent of the Madrid and Oslo talks.

**Tayseer Nasrallah (TN):** Unfortunately, I am also afraid that there will be a deal - maybe very soon - in the political negotiations on the expense of Palestinian refugees' right of return. Unless there is a strong popular position by refugees everywhere, in the West Bank, Gaza, Lebanon, and Syria, as well as coordination and consensus about a national plan of action for the right of return and against a compromise, I am afraid we will be confronted with a declaration of the Palestinian state which will be declared as "a state for all Palestinians" - and our refugees will be expected to re-settle wherever they are. This is what Israel wants and what the US has been pressuring for. Israel, whether on the official or non-official level, has not shown any readiness to accept refugee return. The recent proposal for legislation of a law aimed at barring refugee return is just another example for the uncompromising Israeli stand. (see page 12) If Israel succeeds to impose its position in the negotiations and the PLO will sign an agreement, this will be very negative for the refugees, because this will be an agreement signed by their own leadership.

*What will be the impact of these likely political scenarios on the situation of Palestinian refugees in your region in the short term?*

**TN:** Of course Palestinian refugees will reject a final status agreement that does not provide for their right to return to their homes and properties. What will happen exactly is difficult to predict at this point.

### **First Statistical Yearbook on Jerusalem Governorate (No. 1) Released by the Palestinian Central Bureau of Statistics**

The Yearbook is based on statistical data obtained from the findings of many surveys and censuses conducted by the Palestinian Central Bureau of Statistics between 1993 and 1998. The Yearbook covers geographic, demographic, and economic indicators, as well as other indicators documenting Israeli violations in the Jerusalem Governorate.

**www**

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website: [www.pcbs.org](http://www.pcbs.org).

**AO:** Refugees have already been affected negatively by the negotiations, especially on the psychological level. Frustration and loss of hope have been the dominant feeling since the 1993 Oslo Accords. And these feelings are legitimate, given the neglect of refugee rights in the negotiations. The Palestinian negotiators are perceived as powerless receivers of Israeli orders, especially because they have been unable to use UN Resolution 194 and international law as a tool of pressure. Of course, our current scenario will not lead to peace, as long as five million refugees remain dispersed in the regions, crammed into refugee camps, and deprived of their basic rights [...] The Palestinian people everywhere will continue to struggle for their right of return.

Palestinians in Lebanon are among those who have the longest experience of suffering for several reasons, but mainly because of the religious-ethnic-based system of governance in Lebanon. Palestinians are perceived as a threat to this system, a fact that has made Lebanese-Palestinian relations tense for the past fifty years, socially, economically, and politically. [...] Now, as a result of the Palestinian concessions in the Oslo Accords, and because additional concessions are expected in the future, official and popular Lebanese circles are afraid that the Israeli-Palestinian final status agreement will bring imposed refugee resettlement to Lebanon. This fear has resulted in a concerted Lebanese campaign, which pictures Palestinians as the enemy, instead of directing the campaign against Israel and against refugee resettlement. Lebanese media highlight individual incidents and turn them into general accusations, e.g. the accusation that Palestinians were behind last year's murder of four judges in Sidon.

*How will these likely political scenarios affect the international legitimacy of unfulfilled refugee rights and demands?*

**AO:** As I already explained earlier, the Palestinian negotiators put themselves in a situation where they cannot make use of international resolutions in order to support their position. There have been many international resolutions, from UN Resolution 194 (1948) affirming the right of return of Palestinian refugees, to General Assembly Resolution 3236 (1974) providing for the inalienable right of the Palestinian people to self-determination, independence and sovereignty

over its land, and the refugees' right of return. [...] Now that the ceiling set for the negotiations is the ceiling defined by Israel and the United States, why should the international community feel bound by these UN resolutions? The international community recognizes our right to self-determination, while the Palestinian Liberation Organization (PLO) submits this right for negotiation. While there is international recognition of our right to independence and sovereignty, the PLO accepts administrative autonomy without sovereignty over land, borders, and natural resources. While the international community has defined the refugees' right of return, based on UN Resolution 194, as part of the inalienable rights of the Palestinian people, the Palestinian negotiators' acceptance of UN Resolution 242 as the sole terms of reference has stripped the Palestinian refugee question of its historical and political content and transformed it into a humanitarian issue that can be explored in the multilateral Refugee Working Group, or into a secondary issue discussed in the bilateral negotiations between the PLO and Israel, although the refugee question is the core of the conflict.

The international community and the United Nations will be encouraged to rescind their decisions and responsibility towards the Palestinian people by the succumbing of the Palestinian leadership to Israeli and US pressure. Thus, for example, the United Nations already cancelled its earlier resolution that had defined Zionism as racism. Our respect for international law and resolutions does not mean that we expect the solution of our cause to come from there. We know that only the struggle of the Palestinian and Arab people, based on our national rights and principles, can achieve a situation where the international community and the enemy are forced to respect our rights.

**TN:** We will have to cling to international law and UN Resolutions, even if an agreement is signed. So far, Israel has not implemented any of the resolutions on Palestine, neither UN Resolution 242 and 338, nor 194. We have to make clear that our right of return is both a collective and an individual right, that the Palestinian Authority - and the future Palestinian state - in which we live is a "host country", and that we continue to claim our homes and properties in Israel. Of course it will be very difficult for the refugees to move and

to demand their rights once an agreement is signed, because both parties will be bound by the agreement which will be supported by the powerful states in the world. This is why we have to move before the agreement - and we have very little time.

*Do you see, in principle, a possibility for Palestinian community activists to take an active role in the defense of their right of return? How would you describe this role in relation to the other political players such as the PLO, PA, political groups, and governments?*

**AO:** Certainly, popular initiatives organized by Palestinian community activists can take an active role in defending the right of return. Of course this role varies from place to place, and its concrete form is determined by the specific conditions of each refugee community and the role taken by the social and political forces there. The struggle of each refugee community is a result of its special conditions. The right of return and the struggle for the defense of this right must form a unifying issue and a united cause of the whole Palestinian people. All efforts made so far are no more than a beginning, and there is still as large gap between the activists and the broad public. Most activity has remained limited to circles of intellectuals and veteran activists. Given the importance of the right of return in this period, it is high time that the struggle for the defense of this right proceeds from the narrow, intellectual circles to the arena of broad, popular action. Only massive participation by the community can stop the Palestinian negotiator from making additional concessions, especially on the refugee issue.

**TN:** Yes, in the 1967 occupied homeland, the public can certainly influence the official position, if we are able to send a clear and strong message. In our public rally organized in Balata camp in commemoration of the 52nd anniversary of *al-Nakba*, for example, we had some 5,000 participants and we stated publicly that anyone who surrenders the refugees' right of return is considered a traitor. This has influence on our leadership. I assume that public opinion and popular initiatives also influence the Palestinian negotiators, as long as we are sending a clear message. We know that there is pressure on the Palestinian negotiators by Israel and the United States, but the Palestinian leadership cannot

disregard the position and interest of the Palestinian public.

**AO:** Unfortunately, there are several subjective and objective factors, which obstruct the efforts of activists working for the defense of the right of return, and prevent their impact on the popular level. The refugee community in Lebanon, for example, suffers from extremely difficult living conditions, a daily struggle for subsistence, and an undeclared official policy of marginalization and ghettoization. All these prevent the community from taking an active role in the general Palestinian national struggle and in the struggle for the right of return in particular. Activists must take these factors into consideration. In addition, there is the problem in all refugee camps of groups and individuals from the political right and left, who - although empty-handed - claim to represent the Palestinian people in Lebanon. These individuals and groups obstruct the efforts initiated by the civil society. In December 1999, for example, when the A'idoun Group declared its establishment, some of these groups who are interested in preserving the status quo, launched a rumor campaign and - with the support of some writers - spread baseless accusations, in order to kill this initiative from the beginning. The same happened to other community-based initiatives, such as the miscarried effort to revive the Palestinian Union of Physicians and Pharmacists in Lebanon, whose Establishing Conference was prevented by force from convening in Shatila Camp. Last but not least, the road was blocked for the Palestinian Engineers' Association and other popular and social initiatives aiming to work outside the traditional Palestinian social and political frameworks, which - rotten and corrupt - have become a burden to Palestinians. Irrespective of these difficulties, there is an opportunity for real work on the defense of the right of return. The soil is prepared, and Palestinians are ready to leave the state of paralysis imposed on them. The demand for the right of return is alive in each displaced and humiliated Palestinian. However, people are looking for serious work, which gives an active role to them and is far from the logic of sectarianism and corruption. An indication for this is the strong positive response to the modest activities organized in Sidon, Tyre, and Tripoli by A'idoun, in cooperation with popular social committees, clubs and institutions.

*If you look back over the period of the last 7 years (since the 1993 Oslo Accords), would you say that Palestinian community activists have actually taken on such active role? Can you give examples showing that this has been the case?*

**TN:** Yes, I think that in 1967 occupied Palestine popular initiatives have played a role. There has been progress, but not enough. We have succeeded in placing the refugee question and the right of return on the agenda of a broader public in the West Bank and Gaza Strip and the official leadership. Palestinian refugees today have a much better understanding of their rights and are no longer ready to accept "solutions" which might be good for solving the problems others, but not for the refugees themselves. Take for example the issue of compensation: today, refugees in Palestine understand that they will never benefit from compensation, because compensation payments usually go to states.

**AO:** In order to assess the role of community activists in Lebanon, it is important to understand that the 1993 Oslo Accords caused a split of the Palestinian National Movement, and that, as a

### **Forced Migration Review**

*Forced Migration Review* (FMR) is the in-house journal of the Refugee Studies Centre, Queen Elizabeth House, University of Oxford. It is a 44-page magazine published three times a year in English, Spanish and Arabic. Produced in collaboration with the Global IDP Survey of the Norwegian Refugee Council, FMR is circulated to some 2,500 individuals and organisations worldwide. Readers include refugees and IDPs, academics, NGOs, research institutes, donors, inter-governmental and governmental agencies. FMR provides a forum for debate on the most immediate issues facing refugees and internally displaced people and those working with them. Articles, research abstracts, conference reports and news items, present practice-oriented findings and analyse policy issues. FMR enables academics, practitioners, refugees and IDPs to share information and experience, present recommendations and set out guidelines for best practice.

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result, Palestinian activists and the intellectual elite were divided into three groups:

The first group are those convinced of the Oslo negotiation process as the only feasible Palestinian option, given the recent powerful developments in the region and the world, most importantly the second Gulf War and its disastrous results, such as the destruction of Iraq, US control of the major Arab resources - especially petrol - and the establishment of a broad Arab alliance with US policy in the region. [...]

The second group is opposed to the process, starting from Madrid to Oslo. In a situation of collapse of the political consensus versus the US-supported Zionist project, both on the popular and official level, this group was able to attract considerable support from among the intellectual elite and the national circles in the Arab world. However, action taken by this circle has been restricted to verbal statements rejecting the Oslo process; it has remained unable to stop the collapse of the official Palestinian position by means of concrete political action.

The third group continues to monitor the developments on the ground, in order to determine points of Palestinian weakness and strength. It hopes to be able to trigger a popular initiative which would block the deterioration resulting from the concessions made by the official Palestinian leadership, and to re-build consensus around the principles of the cause of the Palestinian people in the homeland and in exile.

Summing up, we can say that the split of the forces and activists of Palestinian civil society, and the transformation of some of its institutions into business enterprises, which serve the needs of individuals and small groups, has contributed to the corruption in Palestinian civil society. This has prevented it from taking an active role in leading Palestinian society away from the current crisis.

*What do you consider the major achievements of our struggle for the defense of the Palestinian right of return since Oslo?*

**AO:** We might say that some of the activities of the third group described above have contributed, although late and on a modest scale, to a campaign of renewal, awareness raising, and mobilization, especially around the sacredness of the right of return among the Palestinian diaspora.

Among its modest results are the establishment of a network of community contacts, the facilitation of joint work focusing on the right of return, and a powerful revival of this right in Palestinian and Arab political speech. This effort also resulted in the establishment of an international network, which facilitated the re-activation of concern for the Palestinian right of return and its re-introduction to the agenda of popular and official institutions, as well as UN institutions in the world.

*Given the current state of the Palestinian refugee community as described by you, how do you expect it to react to the political, negotiations-related scenario you mentioned earlier? What will Palestinian refugees do, in the short and medium term?*

**AO:** Before we speak about how we will respond, in the short and medium term - to the expected results of the current negotiations, it is our most important task to affirm a basic fact which must become one of the principles of Palestinian thought, now that we are in a period of transition to a new stage of the Palestinian struggle for freedom and for the restitution of our inalienable rights. It is the basic fact that the conflict with the racist Zionist entity in Palestine will not end with the conclusion of the final status negotiations, whatever their results, and irrespective of whether they are concluded according to the current time table on 13 September, or only several years later. This, first of all, because the seeds of the conflict are found in the essence and principles of the Zionist project, which is based on a racist, adversarial and reactionary ideology taken from the darkest chapters of human history. [...] Therefore the conflict will remain wide open, irrespective of what will happen in the negotiations. New social and political forces and tools will be combined into a new program of struggle. The right of return will represent a central element of this struggle in the current period and in the future.

From here, the tasks of the Palestinian exile, in the short and medium term, will have to be defined based on the special circumstances of each refugee community. In Lebanon, for example, one of our short-term priorities is to convince Lebanese society that Palestinians cling to their right of return and completely reject the idea of resettlement. On the one hand, Palestinians are trying their best to explain the circum-

stances that led to their imposed presence in Lebanon, which is one of the results of the Zionist project and the establishment of Israel on Palestinian land. On the other hand, Palestinian refugees are engaged in a concerted effort to overcome the negative impact of the civil war, because they reject the argument that their camps are explosive sites. This process of reconciliation with the self and the other will help to stabilize the refugee community and enable it to participate in the Palestinian national project. It is the task of community activists to bring about the unification of individuals, institutions and associations working for the defense of the right of return, and to facilitate the creation of a joint vision and program for all those working on this issue inside and outside Palestine. In Lebanon, we must also promote cooperation between our institutions and associations, and sympathetic Lebanese national activists in order to design supportive organizational frameworks for the right of return and the legitimacy of the Palestinian struggle in the future. This will serve to confront the political agitation in Lebanon, which aims to paralyze the Palestinian refugee community here.

**TN:** In 1967 occupied Palestine, we must increase our capacity to reach out to the broad refugee and non-refugee public in order to make our message stronger. Also, we still lack a popular framework that can speak out on behalf of the refugees. There are several organizations active in camps, the Union of Youth Activity Centers, the Popular Service Committees, the Women Centers, etc., but we need much more coordination among these organizations in the 1967 occupied territories, and between us here in Palestine and refugee organizations in the diaspora. We must work to build a genuine structure, which can represent refugees, despite the fact that the problem of representation is extremely difficult to solve.

*What do you consider the three most urgent tasks to be resolved by activists who wish to protect the individual and collective rights of Palestinian refugees in this period?*

**TN:** Our first task in Palestine is to improve coordination among the organizations active in defending our right of return. We need a network which allows us to organize larger public events, involving refugees and non-refugees not from this or that camp only, but from all over the West

Bank, or the whole Gaza Strip. Then, and this is crucial, we need to tackle the issue of representation. We need a framework that represents refugee positions and interests. This framework must be independent of all official bodies and include all those individuals, in community organizations and in political parties, which are serious about defending our right of return.

Our third task is to organize massive popular activities in the field. We must have a broad and wide outreach to the refugee and non-refugee public, in order to reach a stage where the refugees themselves can clearly convey the message that there will be no peace without the right of return, and that Israel's borders will not be safe as long as there are Palestinian refugees who are not permitted to return home.

**AO:** I would define the three most important tasks as following:

1. We must coordinate the efforts of all forces everywhere - associations, institutions, unions, and political groups - active on the right of return and turn this issue into a joint priority. Coordination forums, to be convened once or twice annually, must be formed in order to exchange experience and opinions, and to design a joint plan of action.
2. We must make use of the vast Palestinian research potential in order to study and analyze the relationship between our right of return and the obstacles to its implementation posed by the Zionist entity.
3. We must concentrate our effort towards building a broad campaign of information, here in the region and abroad, which affirms our right of return among refugees and facilitates the formation of networks and lobby groups in all areas of exile and on the international level. We must work against the public misinformation on the issue of compensation, and confront Israeli and US propaganda, which, in violation of international legitimacy and UN Resolutions such as UN Resolution 194, tries to replace the principle of return with compensation.

If we are able to progress on these tasks, we will be able to affirm the vitality of the Palestinian people and its absolute rejection of any compromise of its basic national rights, foremost its right of return to the homeland. We will be able to send a clear message and warning to the Palestinian negotiators to abstain from surrender to the Israeli conditions and the concession of the refugees' right to return to the homeland and homes they were expelled from. ■

## Update

### Campaign for the Defense of Palestinian Refugee Rights

**Radio Programs:** Two radio series about the Palestinian refugee issue are providing information and a forum for discussion for tens of thousands of listeners in the West Bank, Gaza, Jordan, and Lebanon. Since the end of February, *Radio Bethlehem 2000* has carried a weekly program covering initiatives and events of the week, reports about specific villages of origin including interviews with eyewitnesses of the 1948 expulsion, refugee related news, and interviews with politicians. At the end of May 2000 a partnership between Yafa Cultural Center in Balata Camp and *Voice of Palestine* radio has begun to carry a similar radio series. To date, panel discussions have focused on Resolution 194, the demographic and social conditions in the refugee camps, the implications of UNRWA's chronic deficit, and family violence.

**TV Series:** A seven part series on the refugee "Return Visit" (see page 20f) to villages of origin was broadcast in late May 2000 to a viewing audience of at least 15,000 in the Bethlehem-Jerusalem-Hebron area. The series was a joint effort by *Al-Ru'ah* (Shepherds TV, in Bethlehem) and BADIL.

**Oral History:** In May 2000 BADIL began work on its oral history project to document the social life and fabric of Palestinian communities in pre-1948 Palestine and the circumstances of eviction. The first village that is being looked at is Lifta. The project is being undertaken with the active involvement of the refugee community, BADIL Friends Forum, and Lena Jayyousi, a researcher currently working on the history of the western Jerusalem villages. The project will include interviews with eyewitnesses from specific villages depopulated in 1948, community visits to villages of origin, presentation and follow-up discussion about the visit in the camp community, and follow-up interviews about issues of particular interest.

**Refugee Rights Workshops:** Kalandia Camp (24 March) - Al-Quds University Law College (10 June) - Camp No. 1/Nablus (18 June):



Photo: al-Quds University workshop, June 2000

Responding to the broad concern among Palestinian refugee activists about the weakness of the current international regime for protection and assistance available for Palestinian refugees (UN Resolution 194 and UNRWA), and about the fact that the PLO, in the current negotiations with Israel, will most likely be unable to obtain an agreement on the solution of the Palestinian refugee question which will allow implementation of the internationally recognized right of Palestinian refugees to repatriation, property restitution and adequate compensation, BADIL launched a new effort at legal research and public debate. This effort focused on the urgent need for a legal mechanism of rights enforcement, which could effectively strengthen existing Palestinian grass-roots and leadership efforts for the defense of refugee rights in the sensitive period of the final status negotiations with Israel.

BADIL's proposal is based on a reinterpretation of international refugee law (1951 Refugee Convention and UNHCR Statute) developed since 1996 by Susan Akram (Boston University School of Law) through legal research and litigation. According to this proposal, integration of the Palestinian refugee case into the international protection regime available to other refugee groups in the world is possible and would considerably improve the standing of Palestinian refugees, both with regard to the political negotiations for a durable solution of the Israeli-Palestinian/Arab conflict and immediate international protection, i.e. that body of obligations towards an individual which a state normally provides, including the right to work, travel freely, unite with family members, own property, and the whole scope of international human rights guarantees.

In a series of three public workshops conducted in Kalandia Camp/Jerusalem, Camp No. 1/Nablus, and Al-Quds University Law College between March - June 2000, some 150 refugee community activists, Palestinian legal experts, politicians, and members of Palestinian national

institutions discussed potential advantages and pitfalls of an initiative aiming to make Palestinian refugees part of the existing international refugee regime. Reasons for the demise of the UN Conciliation Commission for Palestine (UNCCP), which had been set up as a special international body for the protection of Palestinian refugees by UN Resolution 194 (1948), and the 50-year-long exclusion of Palestinian refugees from protection by the 1951 Refugee Convention and UNHCR were explored. Palestinian doubts and suspicions about the negative political bias of the United Nations and the system of international law enforcement received ample expression.

Among issues of special public concern were the legal and political implications on refugee rights of a final Israeli-Palestinian agreement that does not adequately address refugee rights and claims, as well as prospects of legal petitions for refugee repatriation and restitution in international and regional human rights fora. Representatives of the PLO Refugee Department criticized the proposed legal strategy noting that it might support current ideas about terminating refugee assistance via UNRWA and emphasized that the PLO - and not an international human rights agency - is the representative of the Palestinian people, including refugees.

Workshop speaker Susan Akram clarified that integration of the Palestinian refugee case into the international refugee regime provided by the 1951 Refugee Convention and UNHCR is possible - and most efficient - if the latter is added for protection and rights enforcement, while UNRWA will remain responsible for the provision of international assistance. She emphasized that the UNHCR's role in the political negotiations for a durable solution to the Israeli-Palestinian/Arab conflict would be limited to representation of the specific rights and needs of Palestinian refugees as defined by UN Resolution 194 and international law, especially the principle of refugees' right of choice with regard to the appropriate durable solution. Involvement of an international agency in the political negotiations would thus not compete with, but rather strengthen the aims, demands, and negotiating position of the PLO.

The workshop series provided evidence of the strong public demand and support for more efficient legal tools which - if properly combined with public mobilization and lobbying - can contribute to protection and promotion of the Palestinian refugees' right of return, restitution and compensation. ■

www

The legal analysis subject of this workshop series is available as BADIL-Information & Discussion Brief, Nos. 1, 2 and 4. The Briefs are available in hard copy or electronic format (html and pdf) on the BADIL website.



## Update

### European Campaign

**Right of Return Advocacy Week (Brussels, 7-14 May 2000) (A joint effort by BADIL, ECCP, Oxfam Solidarity):** As Palestinian refugees in the Middle East commemorated the 52nd anniversary of their eviction by Israel and rallied for the implementation of their right to return to homes and properties in accordance with UN Resolution 194, BADIL and European partner organizations conducted a series of briefings of European and Belgian policy makers in Brussels in order to convey the same message: There will be no peace in the Middle East without recognition of Palestinian refugees' right of return, because Palestinian refugees, i.e. two-thirds of the Palestinian people, reject a solution of the Palestinian refugee question which does not meet the standards set by international law and UN Resolution 194.

The delegation, composed of BADIL Program Coordinator Muhammad Jaradat and international refugee law expert Susan Akram, was hosted and assisted by Brussels-based Oxfam Solidarity, the European Coordinating Committee on Palestine (ECCP), and by the Palestine working groups in the Belgian and European parliament. The political program of the "Right of Return Advocacy Week" included meetings with EU Special Envoy Tomas Dupla del Moral and the Belgian Foreign Affairs Office, interviews in the Belgian press, and the preparation of a draft resolution calling for an active role of the Belgian government in the solution of the Palestinian refugee question according to UN Resolution 194. This resolution is scheduled for vote in the Belgian parliament before the summer recess.

The legal program of the delegation included a working meeting with eight leading Belgian experts of international law who agreed to cooperate in the establishment of a permanent legal support team. Starting from July 2000, this team will assist Palestinian refugees in the preparation of legal petitions for return and restitution to be submitted to international and European human rights fora, and form a professional lobby for international legal protection of Palestinian refugees. In a meeting between the delegation and ENIP (European Inter-Network Group coordinating all major NGO networks), European NGOs expressed their interest and support for this Palestinian-European Campaign for the Defense of Palestinian Refugee Rights. ■

### Proposal for Resolution Concerning the Right of Return of the Palestinian Refugees (Belgian Parliament)

*The Senate,*

I. *considering that* a durable peace, which has to put an end to the conflict between the Israeli and the Palestinian people, can only be achieved if there is a just solution for the Palestinian refugees;  
II. *considering that* the Palestinian refugee problem has to be solved according to the UN Resolutions and the principles of international law: including UN Resolution 194/1948, the Statute of the UNHCR (1950), the Convention Relating to the Status of Refugees (1951) and its Protocol (1967), the Universal Declaration of Human Rights (1948), and the Fourth Geneva Convention (1949);  
III. *considering that* the principles outlined in the above mentioned international instruments have served as leading principles for the solution of refugee problems in other parts of the world such as Vietnam, El Salvador, Guatemala, Rwanda, Bosnia, Kosovo, East Timor etc...

*Requests the government:*

To raise this problem immediately in the Cabinet Council of the European Union and in the General Assembly of the United Nations.



An earlier resolution was signed by 74 members of the British Parliament in November 1999. For more information see the Palestinian Return Centre website, [www.prc.org.uk](http://www.prc.org.uk)

### Right of Return: Greens/European Free Alliance (European Parliament)

No 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. I understand, therefore, your concern for the hundred thousands Palestinian refugees who are still waiting to be given the opportunity to go back to their properties and you can count on our willingness to express whenever necessary our concrete support for this just cause.

Best regards  
Paolo Bergamashchi  
Adviser on Foreign Affairs  
Greens/EFA Group in the EP



Source: <http://al-awda.org>

## Update

### American Campaign

**First Right of Return Conference (Boston, 8 April 2000):** More than one-thousand Palestinian/ Arab Americans - intellectuals, veteran and new community and student activists - as well as North American solidarity activists participated in a one-day conference in Boston entitled, "The Right of Return: Palestinian Refugees and Prospects for a Durable Solution". The conference was sponsored by the Trans-Arab Research Institute (TARI) and dozens of co-sponsoring organizations.

The fact that more than one thousand Palestinian, Arab, and US American activists traveled from all over the United States and Canada in order to attend the Conference proves that the Palestinian right of return is an issue of deep concern not only to Palestinians and their supporters in the Middle East, but also in North America. This broad concern, however, must yet be transformed into sustainable action in the framework of a concerted Right of Return Campaign coordinated by activists in the Middle East, the United States and Europe. A preliminary plan of action to be implemented in the United States and Canada was designed in a follow-up meeting of the Boston Conference. This plan of action includes:

1. Establishment of a Palestine "Right of Return" list, i.e., a special email discussion group serving as a tool for information, coordination, and dissemination on campaign related affairs. (See below)
2. Organization of teach-ins in order to inform and educate the public about Palestinian refugee rights. Educational tools recommended for this purpose are:
  - *Copies of the TARI Conference video* (available via Elaine Hagopian: echagop@aol.com); conference papers (published on: [www.salam.org/return2000/index.html](http://www.salam.org/return2000/index.html));
  - *Short briefings and information papers* provided by TARI (contact: Naseer Arouri: naruri@aol.com; or: someone@tari.org);
  - BADIL resources (published on: [www.badil.org](http://www.badil.org) or via direct requests to: [info@badil.org](mailto:info@badil.org)).
3. Organization of small groups of lobbyists throughout the United States to identify congress (wo)men and senators with whom they can meet to impress upon them not only the legal rights of the refugees, but also the consequences of an unjust solution to the Palestinian refugee question. (see next page)

4. Meet with and brief journalists for the same purpose (3 above).
5. Organization of public events and media coverage of Palestinian refugee rights and demands on historically significant dates (i.e. 15 May/*Nakba* Day; 11 December/UN Resolution 194) - if possible in coordination with activists in the Middle East and Europe.
6. Assisting activist organizations in the Middle East in the organization of a regional activist workshop to be held (most likely) in Cyprus.
7. Organization and contribution to a "Return Fund" to support the work of Palestinian grassroots organizations and return advocacy groups in Palestine, Lebanon, Syria, and Jordan.

#### **Establishment of Grassroots Action Committees:**

Over the past several months Palestine refugee right to return grass-roots action committees and task forces were established in the United States at the state, regional, and/or city-based level. The Committees aim to connect activists lobbying for implementation of the right of return in their local areas of residence and friends in their communities in order to build coalitions, strengthen awareness, and solidarity in defense of the right of return. Al-Awda, the Palestine Right to Return Coalition, is assisting in the establishment of such grassroots committees and task forces. Currently, committees have been established in Chicago, Connecticut, Florida, Georgia, London (UK), Massachusetts, Michigan, the Mid-South (US), New York/New Jersey, North Carolina, Ohio, Pennsylvania, San Francisco/Bay Area, Southern California, Texas, Washington, DC, and Wisconsin. Al-Awda is a broad-based global democratic association of grassroots activists and organizational representatives, which aims to pressure the international community to fulfill its legal and moral obligations vis-à-vis Palestinian refugees based on the Universal Declaration of Human Rights, International law and through the implementation of United Nations resolutions upholding the inalienable right of Palestinians to return to their homeland and to restitution of all their confiscated and destroyed property.

To join Al-Awda's general activist discussions and organizing list, send a blank message to [al-awda-subscribe@egroups.com](mailto:al-awda-subscribe@egroups.com).



For more information, including information on how to subscribe or establish local committees, see the Al-Awda website (<http://al-awda.org>).

## Palestinian Refugees Return March Planned for Washington and London

Activists in the United States and the United Kingdom are planning Refugee Return Marches in Washington, DC and London on the 16 and 17 September 2000, respectively, to demand that ongoing Israeli ethnic cleansing of Palestinians be stopped, and that Palestinian refugees expelled from their towns and villages in 1948 and afterwards be allowed to go home. The Marches coincide with the anniversary of the 1982 massacre of over two thousand Palestinians and Lebanese in the Sabra and Shatila refugee camps during Israel's occupation of Beirut as well as the September deadline for the end of the negotiations between Israel and the Palestinians where the fate of the refugees is to be determined.

For more information on the marches see these websites:



<http://al-awda.org>  
(Washington March)



[www.ataha.com/londonrally/index.htm](http://www.ataha.com/londonrally/index.htm)  
(London March)

## Political Lobbying in the US/Europe

The Palestine Right to Return Coalition (Al-Awda) has begun to establish a central depository of legislators, political parties, and government officials' position on the right of return in order to facilitate effective lobbying in support of Palestinian refugee rights. Persons are requested to contact local representatives and political parties; members of parliamentary/congressional foreign affairs committees and other relevant policy makers about their position on Palestinian refugees and the right of return and return any answers to RORlobby-owner@egroups.com for the database/depository. A standard letter (right column box) and useful contact addresses are available on the Al-Awda website.

## ADC Launches Right of Return Task Force

The Arab-American Anti-Discrimination Committee has launched a task force on the right of return. The campaign elements include grassroots activism, media work and political action.



For more information see the ADC website:  
[www.adc.org](http://www.adc.org) or contact [nmohamad@adc.org](mailto:nmohamad@adc.org).

## Draft Resolution Adopted by Inter-Parliamentary Union (*excerpts*)

The Committee on Political Questions,  
International Security and Disarmament

7. Without losing sight of refugee problems in other parts of the world, the Conference also expresses "its strong support" for all efforts to achieve a just comprehensive peace in the Middle East including the Palestinian refugees' right of return, in accordance with UN Resolution 194, the Madrid Conference principles of land for peace and the implementation of UN Security Council resolutions 242, 338, 424 and the Oslo Accords.

*103rd Conference and related meetings  
Amman, 30 April - 6 May 2000*

## Sample letter

I would like to know what [Political Party/Politician Name] position is on the right of return of Palestinian refugees to their homes. Could you tell me what the official position is and whether [Political Party/Politician Name] affirms the right of return of Palestinian refugees?

As you know is this right recognized in the Universal Declaration of Human Rights (article 13, states: "Everyone has the right to leave any country, including his own, and to return to his country") and the International Covenant on Civil and Political Rights (article 12, states: "No one shall be arbitrarily deprived of the right to enter his own country"). The right of return of refugees has also been recognized in the Fourth Geneva Convention (art.49) and in particular UN resolution 194, which has been affirmed almost annually since 1948. This resolution has been affirmed by the General Assembly over 40 times.

This resolution is further clarified by UNGA 3236 which reaffirms "the inalienable right of the Palestinians to return to their homes and property from which they have been displaced and uprooted, and calls for their return" (Subsection 2). While individual UNGA resolutions may be non-binding, the repeated and near unanimous reaffirmation of resolutions, like 194 acquire, in effect, binding force.

Please let me know at your earliest convenience.

Yours Sincerely,

## Refugee Protection

### Domestic Law and the *Right of Return*

#### **Anti-Right of Return Legislation by the Israeli Parliament (Knesset)**

On 17 May 2000, the Israeli Knesset passed, in a preliminary vote, a bill that requires the support of an absolute Knesset majority (61 members of parliament) for any future government decision in favor of repatriation into the territory of the Israeli state of Palestinians displaced in 1948 and 1967. The bill authorizes the Minister of Defense, pending approval by the Knesset Committee for Security and Foreign Affairs, to grant entry and residency permits to refugees for humanitarian reasons, under the condition that their number does not exceed 100 cases annually. The bill was proposed by MK Israel Katz (Likud) who said the initiative was above party politics, because it was "Zionist, Jewish, Israeli, ethical and right." It received the support not only of the Israeli right-wing opposition, but also of several Labor Party parliamentarians, including Knesset Speaker Avraham Burg and Minister Haim Ramon.

The current "anti-right-of-return bill" - as well as similar bills restricting Israeli withdrawal from occupied Jerusalem (approved on the same day) and the Golan Heights (1998) - have not yet passed beyond the first reading in the Knesset. Irrespective of whether they will eventually receive the status of Israeli laws, these law proposals aim to discourage the Palestinian and Syrian people and their leaderships engaged in political negotiations with Israel by suggesting that their legitimate demands (right of return of Palestinian refugees; Israeli withdrawal from Palestinian and Syrian lands occupied in 1967) have been "legislated away", and are thus unrealistic.

While it is true that parliamentary majorities for those types of bills are evidence of Israel's inability to engage in historic reconciliation with the Arab people in the region, they do not affect the legitimacy of Arab rights and claims. The Israeli stand that "might makes right" is voided by the Vienna Convention on the Law of Treaties (1969), which defines the principles of international law concerning potentially conflicting domestic versus international legislation. The Convention states, among others, "that a rule of international law or a provision of an international agreement is superseded as domestic law does not relieve the [country] of its international obligation or of the consequences of a violation of that obligation."

Along these lines, UN High Commissioner for Refugees Sadako Ogata, speaking to an Israeli audience at Ben Gurion University in Beersheba on 23 May, emphasized the legitimacy of Palestinian refugees' demand for repatriation: "Let me [...] express the hope that, as in other situations of forced displacement, the Palestinian refugee problem - although it is one of the most complex political issues of today's world - be resolved in a humane manner which takes into account the wishes and hopes of millions of people, including of those who want to return." (Israel is the only country among 140 signatories of the 1951 Refugee Convention without any domestic legislation to define and protect refugees and has abstained from ratifying Convention paragraphs which would support Palestinian refugee rights and claims.)■

#### **Available NOW (via mail and email)**

BADIL - Information & Discussion Brief, No. 5 (June 2000)

#### **The United Nations Conciliation Commission for Palestine, Protection and a Durable Solution for Palestinian Refugees**

(Terry Rempel, Coordinator of Research and Information, BADIL)

**Brief No. 5** 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 6 and 7 provide an overview of the UN Relief and Works Agency (UNRWA) and the UN Office of the High Commissioner for Refugees (UNHCR).

This Brief examines the United Nations Conciliation Commission for Palestine (UNCCP), established in 1948 by the UN General Assembly to facilitate a resolution of the conflict in Palestine, including the issue of Palestinian refugees. The Brief provides both a historical overview of the work of the Commission and a critical analysis concerning the failure of the UNCCP to provide international protection and promote a durable solution for Palestinian refugees. The author argues that the failure of the Commission to resolve the issue of Palestinian refugees according to the provisions of UN Resolution 194 (III) was related in large part to the internal contradiction of the UNCCP mandate. The Commission was accorded both a broad mandate to resolve the conflict and a specific mandate to facilitate repatriation of the refugees and payment of compensation. The Brief examines the experience of the UNCCP in the context of durable solutions for refugee flows.

Brief No. 5 is based on a larger paper prepared for the International Conference on Palestine Refugees, co-sponsored by the UN Committee on the Exercise of the Inalienable Rights of the Palestinian People, the Arab League, and the Organization of the Islamic Conference, in Paris, 26-27 April 2000.

## Palestinian Legislative Initiatives in Support of Refugees' Right of Return

Understandably enough, the Israeli law proposals targeting basic Palestinian rights and demands caused concern and anger among the Palestinian public in the 1967 occupied West Bank and Gaza Strip and provoked a debate about the adequate response among Palestinian legislators. Several members of the Palestinian Legislative Council (PLC) demanded a strong Palestinian response, which would go beyond PLC resolutions affirming fundamental Palestinian rights. Among the ideas raised was a Palestinian "right of return law" which, if passed by the PLC, would anchor the refugees' right of return in the Palestinian legal system. However, problems and potential pitfalls of such Palestinian legislation were discovered to outnumber its advantages - a fact which led the head of the PLC Refugee Committee, Jamal Shati, to oppose this initiative. The disadvantages include:

1. Legislation designed for a mere symbolic purpose, i.e. to respond to Israeli legislation barring Palestinian refugee return, lends legitimacy to the Israeli legislation, because it implies that the latter has force and merits a response;
2. Legislation for mere symbolic/political purpose might also diminish the credibility of PLC legislation both domestically and abroad;
3. Legislation on the refugees' right of return must be part of a comprehensive Palestinian nationality/citizenship law. The current lack of knowledge about basic parameters (e.g territory and borders of the Palestinian state) turns efforts at the formulation of such law into a futile exercise;
4. Legislation on the refugees' right of return will be detrimental to refugee rights if:
  - i) it is not consistent with international obligations of the PNA/Palestinian state; e.g. a bill proposing to deny the right of entry to the Palestinian state to Palestinian refugees would violate such obligations, as well as the denial of entry/citizenship based on race, sex, religion, or ethnicity;
  - ii) it does not confine itself to issues over which the PLC/Palestinian state parliament has power to legislate; e.g. a bill stating that Palestinian refugees are subjects of the Israeli state, or PLC

legislation on Palestinian refugee property in Israel are outside the legislative jurisdiction of the PLC/Palestinian state parliament;

iii) it does not accurately state the special rights and legal status of Palestinian refugees over whom the PLC/Palestinian state parliament may have jurisdiction to legislate; e.g. legislation which does not incorporate a legal distinction between refugee and non-refugee subjects of the PNA/Palestinian state would infringe against refugees' right of return to homes and properties located in Israel.

While protection of the refugees' right of return by means of Palestinian legislation is not feasible at this stage, a future Palestinian citizenship/nationality law could include a special "Right of Return (Non-Resettlement) Clause" which specifies the legal status of Palestinian refugees originating from areas of Mandatory Palestine which are not part of the territory of the Palestinian state. This Clause could include a call upon the international community (United Nations) to continue to take responsibility for refugee assistance via UNRWA until their repatriation according to UN Resolution 194, and the establishment of a "Refugee Return Commission" mandated to investigate, promote, and facilitate refugee repatriation, restitution and compensation in cooperation with the refugee community, PLO and international organizations. ■

### Available NOW (via mail and email)

BADIL - Information & Discussion Brief, No. 4 (June 2000)

### Temporary Protection and its Applicability to the Palestinian Case

(Susan Akram, Boston University School of Law)

In late 1999, BADIL Resource Center, assisted by legal experts, launched a debate about adequate Palestinian legal strategies for the protection of Palestinian refugee rights in the shadow of the final status negotiations with Israel (see also BADIL-Briefs Nos. 1 and 2).

The paper presented here is one of the preliminary outcomes of this debate. It aims to answer the need for a clearly defined legal status for Palestinian refugees in the future Palestinian state and in exile which will guarantee basic human and civil rights to the scattered refugee communities on the one hand, and protect and strengthen the Palestinian demand for the refugees' right of return to their original homes and properties according to international law and UN resolutions, especially UN Resolution 194. The author proposes to adopt the internationally recognized status of Temporary Protection for this purpose.

## United Nations International Conference on Palestine Refugees Paris, 26-27 April 2000

In late April, the UN Committee on the Exercise of the Inalienable Rights of the Palestinian People (established in 1975), the Organization of the Islamic Conference, and the League of Arab States, convened a conference on Palestine refugees attended by UN member states and observers from non-governmental organizations. The Paris conference aimed to review the current situation of Palestinian refugees and to examine the role of the United Nations in finding a just solution for Palestinian refugees based on UN resolutions and international law. "If this problem is not approached with due care and patience, if it is not resolved fairly and in accordance with the norms of international law," stated the UN Committee Vice-Chairman Bruno Rodriguez Parilla, "more Palestinian lives will be ruined, frustration and mistrust will set in again, and the potential for peace and stability in the region will be seriously jeopardized."



A summary of the Conference is available on the BADIL website

Summaries of each session are archived on the UN website on Palestine, <http://domino.un.org/UNISPAL.NSF?OpenDatabase>

For more information on events/activities see the UN Division for Palestinian Rights website [www.un.org/Depts/dpa/ngo/](http://www.un.org/Depts/dpa/ngo/)

### Amnesty International Recommendations - Palestinian Refugee Right of Return *(excerpts)*

Amnesty International urges the governments in the Middle East to take the following steps to ensure that refugees receive the international protection to which they are entitled:

- Take effective action to ensure that those who have fled their country have the right to return and are able to return safely.
- Ensure that the right to return or compensation for Palestinian refugees is respected: these rights should be given a high priority in the Middle East peace process.
- Accord all refugees, including Palestinian refugees, their full rights as provided for by international law.

*Fear, Flight and Forcible Exile: Refugees in the Middle East*

Amnesty International - Report - MDE 01/01/97

### Concluding Remarks of the Organizers of the International Conference on Palestine Refugees *(excerpts)*

(Conf/Pal/4, 27 April 2000)

7. The Organizers reaffirmed the inalienable right of the Palestinian people to return to their land and property, abandoned as a result of the 1948 and 1967 hostilities. They considered the issue of refugee compensation to be an integral element of, but not a substitute for, their right of return. [...]

8. The Organizers [...] called upon all Governments, including non-contributing Governments, to contribute to UNRWA's budget regularly in order to meet the anticipated needs of the Agency and intensify support for its activities. The Organizers were of the view that, pending a final settlement, any reduction in the level of financing of UNRWA would inevitably lead to further exacerbation of the living conditions of the refugees. The international community should continue to support the vital activities of UNRWA until the question of Palestine refugees is resolved in accordance with relevant United Nations resolutions and international legitimacy.

### NGO Statement - International Conference on Palestine Refugees. *(excerpts)*

4. Further, we NGOs affirm that the right of return of Palestine refugees to their homes, as stipulated by the General Assembly in its resolution 194 (III) of 11 December 1948, remains a condition sine qua non for the exercise by the Palestinian people of its inalienable rights to self-determination, national independence and sovereignty. This historic relevant resolution, which has been re-affirmed every year by the UN General Assembly, confirms the right of the refugees themselves to a choice of return and restitution of property, and just compensation for those wishing or not wishing to return.

7. We call upon all Governments, including non-contributing Governments, to contribute to UNRWA's budget regularly and to consider to increase their contributions in order to meet the anticipated needs of the Agency and intensify support for its activities. We NGOs believe that, pending a final settlement, any reduction in the level of financing of UNRWA would inevitably lead to further exacerbation of the living conditions of the refugees. The international community should continue to support the vital activities of UNRWA until the question of Palestine refugees is resolved in accordance with relevant United Nations resolutions and international legitimacy.

11. As NGOs we call for the Palestinian refugees to be brought back into the protection framework offered to all other refugees in the world, namely, separate additional representation, full protection and enforcement.



The full text of the conclusions are available on the BADIL website

## Refugee Assistance

### UN Relief and Works Agency for Palestine Refugees (UNRWA) *Nominated for the Nobel Peace Prize*

Support this Nomination  
Support Palestinian Refugees

The Palestinian Initiative for the Promotion of Global Dialogue and Democracy-MIFTAH has successfully completed the formal procedures for the nomination of UNRWA for the 2000 Nobel Peace Prize. This timely initiative aims to draw international public attention not only to the ongoing importance of this UN Agency, the main provider of vital services to Palestinian refugees in the Middle East over the past fifty years, but also to the right and need of Palestinian refugees to international assistance and protection, including a durable solution based on UN Resolution 194 (right of return).

"In recognition of UNRWA's humanitarian services to the Palestinian refugees and its committed efforts for the building of a just peace in the region, MIFTAH urges you to mobilize resources for this nomination. At this crucial time of permanent status talks where refugees occupy a priority on the agenda of negotiations, this campaign aims at highlighting the question of refugees and the significant role of UNRWA."

BADIL Resource Center welcomes the UNRWA nomination that comes at a time when UNRWA is once again facing a deficit in its annual budget. In a visit to Kuwait, Peter Hansen, Commissioner General of UNRWA stated that the Agency needed an additional 30-40 million dollars by October in order to prevent further austerity measures. Speaking at the annual donor's meeting in Amman, Jordan in May, Hansen told donors that UNRWA "hope[d] that the quality of services will not be harmed and remain untouched." ■



For further details see the MIFTAH website:  
[www.miftah.org](http://www.miftah.org) or UNRWA's website:  
[www.unrwa.org](http://www.unrwa.org) or contact MIFTAH at:

Tel.: +972-2-5851842  
Fax: +972-2-5835184  
Postal Address:  
P.O. Box 38588  
Jerusalem 97800  
E-mail: [ruba@miftah.org](mailto:ruba@miftah.org)

See the UNRWA website for a 50 Year Photo Exhibition, a special focus on staff memories, and a list of commemoration events.

## Refugee Properties

### Protection of Palestinian *Religious Properties*

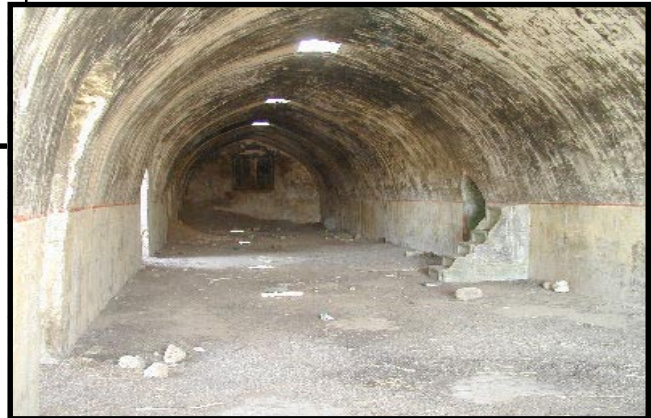


Photo: Bayt Jibrin mosque, June, 2000

At the end of April, the Israeli Supreme Court ruled in response to a petition filed by *Adalah - The Legal Center for Arab Minority Rights in Israel*, that the Religious Affairs Ministry must allocate funds equally for cemeteries of all faiths. The Court refrained from granting Adalah's request to cancel the discriminatory paragraphs of the 1999 Budget law. Of the NIS 17 million allocated under the Budget Law for cemeteries in Israel, nearly all went to the Jewish sector.

Of the 313 large mosques in pre-1948 Palestine, 200 mosques or religious buildings fell within the area that became Israel.<sup>1</sup> During the 1948 war and after many small cemeteries, shrines and mosques located in Palestinian villages were destroyed, although recommendations were made by the Religious Affairs Ministry for the preservation of more prominent Muslim holy places.<sup>2</sup> Most cemeteries in the places of origin of the refugees remain in poor condition. During the "Return Visit" to the villages of origin on the anniversary of the Nakba (see page 18f) for example, refugees found the mosque in Zakariyya filled with garbage while the mosque in Bayt Jibrin appeared to have been used as a livestock shelter.

A joint study by the institute for Palestine studies, the Galilee Center for Social Research, and Birzeit University in the early 1990s, also found some 25 mosques, six of whom had been converted. This included the mosque in Wadi Hunayn, which has been converted into a synagogue. In the Gaza sub-district, mosques in Hiribya and in Kawfakha are used, respectively, as a warehouse and a stable. The mosque in al-Manshiyya in the Acre sub-district is being used as a private residence, while the mosque in al-Zib has been restored for tourism. In the Haifa sub-district, the mosque in 'Ain Hawd is used as a

restaurant. In Jaffa, the al-Wihda mosque was converted into a synagogue, the al-Siksik mosque into a Bulgarian restaurant and nightclub, and the al-Nuzha mosque is abandoned and has been used for prostitution.<sup>3</sup> According to Israeli researcher, Meron Benvenisti, some 140 mosques were abandoned in 1948 and 100 completely demolished along with the villages. Of those remaining, 20 are in decay, 6 being used as living quarters, sheep pens, carpentry shops, sheep pens or storehouses, 6 are being used as museums, bars or tourist sites, 4 are used as synagogues, and 2 renovated for Muslim worship, but use is prohibited or restricted.<sup>4</sup>



Photo: Silent prayer at the mosque in Zakariyya, June 2000

In addition there are vestiges of some 40 cemeteries from before 1948.<sup>5</sup> Some of the cemeteries have been converted into playgrounds and recreational areas. Over the last several years many tombs have been damaged or converted into Jewish holy sites by settler organizations.<sup>6</sup> In some cases, cemeteries have been leveled for new residential and commercial development. The Hilton hotel in Tel Aviv, for example, sits on the site of the Abu Nabi cemetery in Jaffa. In other cases, Palestinians have been denied the right to maintain old cemeteries inside Israel.<sup>7</sup> The Supreme Court ruling came at a time when it was reported that the old cemetery in the western Jerusalem Palestinian village of 'Ain Karim, that was depopulated in 1948, was being rezoned for residential construction. ■

### Endnotes:

1. Khayat, H. "Waqfs in Palestine and Israel - From the Ottoman Reforms to the Present," Ph.D diss., The American University, Washington, DC, 1962., cited in Dumper, p. 28.
2. Michael Dumper, *Islam and Israel, Muslim Religious Endowments and the Jewish State*, Washington, DC: Institute for Palestine Studies, 1994, p. 35
3. Dumper, p. 55
4. Meron Benvenisti, *Sacred Landscape*, Berkeley: University of California Press, 2000, pp. 288-290
5. Benvenisti, pp. 296-299
6. *Ha'aretz*, 11 February 2000)
7. See for example, *Ha'aretz*, 1 March 1999



For more information on the ruling on funding for cemeteries see, [www.adalah.org](http://www.adalah.org)

## Selling Refugee Lands

(*excerpts* from Brief by Salman Abu Sitta)

In mid-June, 52 members of the Israeli Knesset, representing an odd coalition, voted in favor of two bills allowing the sale of "Israel's land reserves" (i.e. refugees' land), approximately 4 million dunums (4,000 sq. km), to the select group of kibbutz and moshav, whose number does not exceed 130,000 members, at a price less than half the value of the land. Those in turn will sell it to building contractors. The Israel Land Administration (ILA) shall therefore change the designation of these lands from agriculture to building plots. The ILA is the arm which administers the refugees' land since its seizure in 1948. The area of this land is 92% of Israel's area. This action is contrary to international law and to Israel's initial law in 1950, which created the position of the Custodian of Absentees' Property. The legal title of these lands is held by the Palestinians who are refugees outside Israel (5,200,000) and within Israel (250,000). The sanctity of private ownership is held by international law and respected by civilized nations. UN resolution 54/74 of December 1999 affirms the refugees' right to their property and to their income from it. Further, it calls upon all nations to supply any information or documents they have pertaining to this property.

The implications of such disposition of refugees' are many fold. First, as long as the land is leased, not sold, the legal rights of the original owners are not easily extinguished. The sale to a third party will complicate the legal structure of the ownership and unwinding of the sale transactions. An interesting intervention was made by the impoverished Sephardic community who did not enjoy the extravagant benefits showered on the Kibbutz. They formed a group, Hakeshet Hamizrahit, which petitioned the High Court this week against sale of land to the Kibbutz and stated that "the land in question was largely expropriated from Palestinians and thus transferring property rights to the inhabitants of the rural communities means negating forever the Palestinian refugees' right of return."

Second, the portion now slated for sale exceeds sixty billion US dollars. This value belongs to the Palestinians, who, although they will never accept to sell their land, only to restitute (recover) it, this amount could be allocated to a fund to pay for their material and psychological damages and lost revenues.

Third, the Arab League has already resolved on 16 September 1998 to apply to the UN





Photo: Church of Ikrit with rubble of the destroyed village

to send a fact-finding mission to investigate the status of the Palestinians property, to appoint a Custodian to monitor changes to such property and report periodically to the UN and finally to activate the UN Conciliation Commission on Palestine. This action by the Arab League should now be activated and updated.

### **1948 Refugees from Lifta Face Renewed Land Expropriation**

In May, the Aqel family, who fled Lifta during the 1948 war and built a second home on a 7 dunum plot of their land in the Mt. Scopus area were issued a demolition order by the Israeli authorities in Jerusalem. Lands owned by the family in the western areas of Jerusalem were expropriated after the 1948 and used in part for the construction of the Israeli parliament (Knesset). Other family lands in the area were expropriated for construction of the Hyatt Regency Jerusalem Hotel, owned by the Reimer and Fainsod families in Mexico. Additional family land was expropriated for construction of the Israel Police National Headquarters, Highway 1, and the Sheikh Jarrah health center.

The family was served an initial expropriation order for the land in January 1968. Four years later, the Israel Lands Administration sold the land to the Hebrew University. For several years, the Hebrew University, which claims ownership of the land, has been attempting to take control of the property for expansion of the University infrastructure. The University had previously attempted to move the family off their land in 1998, concerned about the statute of limitations on the original expropriation order.

Sources: *Ha'aretz*, 18 May 2000; Uri Davis, "Opening Remarks, Session A - "1948 Palestine Refugees", Annual Conference of the Israeli Anthropological Association, Sponsored by the Hebrew University of Jerusalem, 24 May 2000, Hyatt Regency Jerusalem Hotel

### **Israeli Government Again Delays Return of Internally Displaced Residents of Ikrit in the Northern Galilee**

In late May, the High Court agreed to grant the Israeli government a three-month extension for responding to a petition by exiled residents of the Palestinian village of Ikrit, who are demanding that Prime Minister Ehud Barak implement a 1995 government committee recommendation allowing them to return to their northern border homes. The government asked for four months, saying that it must take into account the new situation following the Israeli army (IDF) withdrawal from southern Lebanon.

The petition was originally submitted by exiled Ikrit resident Awni Sabit in 1997.

See *al-Majdal*, Issue No. 5, and *Country Profiles* for information on internally displaced Palestinians.

### **Trans-Israel Highway and the Expropriation of Palestinian Land**

Approximately 85% of the 20,000 dunums required for construction of the new Trans-Israel Highway (No. 6), running from the Naqab (Negev) in the south to the Lebanese border in the north, will be expropriated from Palestinian citizens of Israel. Many Palestinians have refused the small compensation offered for their land, which is regarded as discriminatory and illegal. According to the Arab Human Rights Association inside Israel, "This blatant discrimination is no simple oversight on the part of the Israeli government. The proposed route of Highway 6 hugs the border of the West Bank, moving the demographics of the country eastward. Laying the road along this line will encourage new Jewish real estate developments to spring up, separating the Arab towns in the "Triangle" from the West Bank and from each other." In late June, the Finance Minister announced that alternative plots of land would be offered for expropriated private property. Since 1948, Palestinian ownership of land inside Israel has decreased from 5 percent of the total land area to 3 percent, due to government-sponsored expropriation of land.

Source: Arab Human Rights Association, *Discrimination Diary*, 24 April 2000. *Ha'aretz*, 26 June 2000.

For more details on methods of land expropriation inside Israel see *al-Majdal*, Issue No. 5.

## 52nd Anniversary of the Palestinian Expulsion *Nakba* Day Activities

For the first time in 52 years, internally displaced Palestinians in Israel - constituting one-quarter of Israel's Palestinian population today - succeeded to draw wide local and international attention to their struggle for return to their homes and properties by means of public "Return Marches" and rallies in the destroyed villages of Umm al-Zeinat and Damoun and the Palestinian town of Umm Al-Fahm.

### Umm al-Zeinat

Landownership (1944/45)	Population (1948)*
Arab: 18,684 (dunums)	1,705
Jewish: 51	Refugees (1998)*
Public: 3,421	10,472

*Umm al-Zeinat* was among the 10 largest villages in the Haifa district. The villagers depended for their livelihood on agriculture and animal husbandry, grain, vegetables and fruit trees. In the early days of the 1948 war, Zionist forces dressed in British army uniforms carried out an attack on the village. Umm al-Zeinat was captured on 15 May 1948. The Jewish settlement of Elyaqim was established on the southern side of the village site. The houses have been reduced to rubble, but the village cemetery is still visible.



Umm al-Zeinat visit, May 15, 2000

### Damoun

Landownership (1944/45)	Population (1948)*
Arabs: 19,073 (dunums)	1,512
Jewish: 687	Refugees (1998)*
Public: 597	9,332

*Al-Damoun* had an elementary school and a renowned mosque. Villagers produced mats and baskets from the esparto grass and rushes that grew along the Na'amin river. They also grew wheat, sorghum, barley, olives, watermelons and cantaloupes. Al-Damoun was depopulated between May and July 1948. Those villagers who did not flee were expelled and the village was leveled. Stone and concrete rubble are scattered around the site and the cemetery is visible.

Sources: *All That Remains*, Washington, DC: Institute for Palestine Studies, 1990, p. 11; \*Salman Abu Sitta, *The Palestinian Nakba 1948*. London: The Palestinian Return Centre, 1998.

It was also the first time since 1948 that the Palestinian community in Israel issued a united call for a public boycott of the celebrations of Israel's "Independence Day" (14 May 2000). The boycott was led by the National Committee for the Defense of the Internally Displaced Palestinians in Israel in cooperation with the Arab Monitoring Committee composed of Palestinian mayors and members of the Knesset, political parties, and national institutions. A celebration staged by the Israeli authorities in the Palestinian town of Shafa'amr on 7 May was met by a Palestinian counter demonstration, which led to violent confrontations with the police and resulted in 20 Palestinian injuries and 30 arrests.

For more on internally displaced Palestinians see *BADIL Country Profiles*.

### In the occupied West Bank and Gaza Strip,

the 52nd anniversary of the *Nakba* came at a time of public outrage at Israeli arrogance revealed both on the level of the political negotiations and concrete policies in 1967 occupied Palestinian territories (land confiscation, settlement expansion, house demolitions), concern for the lives of the approximately 2,000 Palestinian political prisoners in Israeli jails who had already been on hunger strike for more than two weeks, and Palestinian refugees' apprehension about Israel's ongoing rejection of their right of return (UN Resolution 194).

*Under the Barak government some 5,000 new housing units have been approved in West Bank and Gaza settlements, thousands of dunums of Palestinian land have been expropriated and tens-of-thousands of dunums of land have been designated as closed military areas. Palestinian families living in Area C (full Israeli control) of the West Bank and in areas adjacent to planned settlement expansion and by-pass roads continued to receive home demolition orders. The demolition of Palestinian buildings has included water cisterns and animal shelters. The Barak government has also approved some 12 new by-pass roads. The destruction of the Palestinian landscape includes the continued uprooting of thousands of olive and fruit trees. Between the Wye Memorandum (10/98) and July 1999 alone some 34,000 trees were uprooted.*



For more details see the websites of the Applied Research Institute in Jerusalem [www.arij.org](http://www.arij.org), and the Foundation for Middle East Peace, Settlement Report: [www.fmep.org](http://www.fmep.org)

Massive protests and violent confrontations with the Israeli occupation army on 13-15 May involved Palestinian civilians and police forces and resulted in six Palestinian deaths and hundreds of injuries.



Photo: *Nakba* Day March in Jabalya, Gaza. May 15, 2000 (Gerhard Pulfer)

Marches and rallies demanding implementation of UN Resolution 194, by local refugee camp organizations, the Union of Youth Activity Centers, Women Centers in the camps, the Popular Service Committees and political parties, were held in all major refugee camps of the West Bank and Gaza Strip between May 14-15. The largest event in the West Bank was the Return March-Rally organized in Balata Camp (Nablus) on May 14. This march was joined by delegations from the city of Nablus and adjacent villages, students of an-Najah University and Al-Quds Open University, and refugee Return Marches arriving from the camps of Nur-Shams, Jenin, Tulkarem, al-Far'ah, al-'Ain, and the two 'Askar camps. Some 5,000 people, carrying signs and slogans, walked through the streets of Balata Camp to form a rally attended by representatives of the political parties, the Governor of Nablus, and all major refugee organizations.■

### **Their Independence Day - The Day of our Tragedy**

Dear Palestinian People,

When David Ben Gurion declared the establishment of Israel, announced the independence of the Jewish State and promised peace for the people of the region, hundreds of thousands of Palestinians were forcefully evicted - massacres and planned eviction - by armed gangs headed by the Haganah, the predecessor of the "Israeli Defense Army". Between night and dawn, two-thirds of our people became refugees without shelter but for the sky over the refugee camps. The Zionist gangs did not suffice with the eviction of almost one million Palestinians, but also totally destroyed 530 Arab villages and cities. They confiscated our lands and properties by means of unjust laws and considered our people as "absentees", although they are still present and alive.

Fifty-two years later, our people still suffer from the harsh conditions in the refugee camps, as well as the restrictive policies and the iron hand implemented the Arab regimes without exception and climaxing in massacres from "Black September" (Jordan, 1970), Tel az-Z'atar (Lebanon, 1976), until Sabra and Shatila (Lebanon, 1982). Our people continue to look to Palestine, hoping to return. They reject all alternatives of compensation and resettlement.

We the internally displaced Palestinians suffer a double pain. We have remained near our destroyed villages and towns. With pain we listen to the silent prayers of our mosques and the silent call of our church bells - silenced since our eviction and transformed into stables for the settlers' cattle and sites of prostitution and drug abuse. They desecrate the cemeteries of our ancestors who, for 52 years, have not stopped appealing to our conscience and the conscience of humanity.

Yes, they took our land by massacres and by the eviction of two thirds of our Palestinian people. They destroyed our villages, confiscated our lands, and consider us absentees. They instigate the Arab regimes to implement the most abominable massacres, even inside the refugee camps. They who practice the policy of ethnic cleansing against us, who are considered citizens in the "oasis of democracy in the Middle East", are celebrating - in conjunction with their allies and spies - their "independence day", the day of our *Nakba* (tragedy).

We call upon all our people to boycott all celebrations of the independence of Israel, official and non-official, and to participate in the national activities, which reaffirm our belonging to our People and our Land!

Shafa'amr, 10 May 2000

*The National Committee for the Defense of Internally Displaced Palestinians in Israel*

## Symbolic Return Today - A Step Towards Real Return in the Future

Palestinian Refugees Visit their Villages on the Anniversary of *al-Nakba*



Photo:  
*Nakba*  
March in  
Beirut, May  
15, 2000

### Pledge of Honor of the Palestinian Person to the Palestinian Land

- The right of return to historical Palestine is a natural, legal, political, and human right; it is a right of the Palestinian individual and the collective, and its implementation is possible. Any person who bargains on or surrenders this right is a traitor;
- Security, stability, and peace in the region cannot be achieved without a just and comprehensive solution of the Palestinian refugee question according to international legitimacy, especially UN Resolution 194. Any effort to bypass this question will lead the region into a new round of conflict;
- It is the duty of the Palestinian negotiators to abstain from negotiations over the principle of the right of return. Any step in this direction is rejected by the national consensus;
- The rights of Palestinian refugees are indivisible. The refugee question is a Palestinian responsibility and no side is mandated to bypass it;
- We call upon the Lebanese government to lift immediately the siege of the camps of steadfastness in Lebanon, and to treat Palestinians according to the standards defined by human, ethical, and political norms;
- We call upon UNRWA to continue providing its services and to work for the improvement of living conditions in the camps until a just and comprehensive solution to the refugee issue is found.

We, refugees from the camps of Balata, 'Askar 1 and 'Askar 2, al-'Ain, al-Far'ah, Tulkarem, Nur Shams, and Jenin, state with loud voice: Palestine is ours! Our only choice is the return to the land of historical Palestine.

We greet our Palestinian people in the camps of Lebanon, Syria, Jordan, and Gaza.

**Yes to the right of return of Palestinian refugees in accordance with UN Resolution 194!**

**Yes to the independent Palestinian state with Jerusalem as its capital!**

**Eternal glory to our martyrs and freedom to our steadfast prisoners!"**

The Follow-up Committee for the Commemoration of the 52nd Anniversary of the *Nakba*, May 2000.

West Bank camp refugees hit the headlines of the local Arabic media with a new and unique type of memorial activity conducted on 14 May. Some 150 Palestinian refugees from Deheishe, 'Aida, and 'Azza refugee camps located in the Bethlehem district, men and women eyewitnesses of the 1948 expulsion and their grandchildren, set out on a symbolic "Return Visit" to their villages of origin. The event, which marked the first collectively organized return visit of West Bank refugees to their homes and lands in Israel was facilitated by BADIL and accompanied by numerous Palestinian, international, and Israeli journalists.

The first station of the three-bus caravan was the destroyed village of Bayt Nattif, where nothing but rubble in a vast, now unpopulated Israeli nature reserve bears witness of a Palestinian community prior to its expulsion in 1948. As the refugee "return caravan" moved on to the village of Zakariyya, it was joined by Palestinian member of Knesset Hashem Mahameed. Thanks to his intervention, the caravan was able to pass the Israeli guard at the entrance to the Israeli settlement of Zekharya. It stopped at the old village mosque, which - together with a few old Arab homes - continues to give witness of the presence of this Palestinian community before its final expulsion in June 1950.

As 150 refugees gathered for prayer in and around the mosque, some Jewish residents, stirred by the unusual sight, came to inquire about the purpose of this visit. As expected, the direct encounter between rightful Palestinian owners and current Jewish occupants of homes and properties, most of them Jewish immigrants from Arab countries, gave rise to a highly emotional debate. While some voiced readiness to return their Zakariyya/Zekharya home to its Palestinian owner if they could regain access to their original homes in Iraq, others called the Israeli police.

In the early afternoon, the caravan moved on to its last station in Bayt Jibrin village, now the site of the small Israeli Kibbutz Beyt Guvrin and a large Israeli nature and archeological reserve. After inspecting the remainders of their homes,



Photos: Return visit to Zakariyya (above), picking wild herbs in Bayt Nattif (top right), dancing the dabke in Bayt Jibrin in front of the "return tent" (bottom right)

the return caravan gathered at the well-preserved mansion of Sheikh Abdelrahman, located on a hilltop overlooking the lands of Bayt Jibrin. A large tent, symbolizing the refugee experience, was set up, and the women distributed traditional Palestinian bread baked in shadow of the old Palestinian mansion.

MK Hashem Mahameed reminded refugees of the fact that major Palestinian families of his town of Umm al-Fahm (Galilee), among them his own, originated in the village of Bayt Jibrin, thus underlining the historical links between the Palestinian community in Israel and the West Bank. He called upon the old generation, eyewitnesses of the 1948 expulsion, to keep the Palestinian experience alive among young generations and thanked the organizers for their special and unique effort on behalf of this cause.

On their way home, Palestinian refugees, participants in this symbolic return visit, were again reminded of the harsh reality which continues to obstruct their real return to homes and properties. The caravan was escorted back into the West Bank by Israeli police and could leave for Bethlehem only after prolonged negotiations at the Israeli "safe passage" checkpoint at Tarqoumia (Hebron). Not defeated by harassment and inspired by their symbolic, one-day return, refugees ended their trip by joining the Palestinian hunger strikers at the Bethlehem Red Cross Center in order to express their demand for the immediate release of all Palestinian prisoners in Israeli jails. ■

### Bayt Nattif

Landownership (1944/45)  
Arab: 32,762 (donums)  
Jewish: 0  
Public: 11,825

Population (1948)\*  
2,494  
Refugees (1998)\*  
15,316

*Bayt Nattif* had a mosque, a number of shrines, and an elementary school. Villagers depended for their livelihood on rain-fed agriculture and animal husbandry. They also cultivated grain, vegetables, and fruits. Israeli forces occupied the village in October 1948. Settlements of Netiv ha-Lamed-He, Avi'ezer, Roglit and Newe Mikha'el were built on village lands. The village site is covered with rubble.



### Bayt Jibrin

Landownership (1944/45)  
Arab: 54,962 (donums)  
Jewish: 1,008  
Public: 215

Population (1948)\*  
2,819  
Refugees (1998)\*  
17,310

During the Mandate, *Bayt Jibrin* served as a commercial and service center for the area's villages. It had two schools, a clinic, a bus stop, and a police station. The villagers cultivated grain and fruit. Israeli bombing of the village in mid-October 1948 led to the large-scaled evacuation of the village. The village was not destroyed immediately after its occupation. The settlement of Beyt Guvrin was established on the village lands. Today a mosque, an unidentified shrine, and a number of houses remain.



### Zakariyya

Landownership (1944/45)  
Arab: 15,311 (donums)  
Jewish: 0  
Public: 0

Population (1948)\*  
1,369  
Refugees (1998)\*  
8,406

*Zakariyya* had a mosque, market, and elementary school. Rain-fed agricultur represented the backbone of the economy with main crops such as grain, beans, fruit, and olives. The village was occupied in late October 1948, however, the villagers were not immediately displaced. The villagers were evicted in June 1950 in order to use the houses for new Jewish immigrants. The settlement of Zekharya was established on village lands. The mosque and a number of houses remain.

Sources: *All That Remains*, Washington, DC: Institute of Palestine Studies, 1990, pp. 199-200; \*Salman Abu Sitta, *The Palestinian Nakba 1948*. London: The Palestinian Return Centre, 1998.

## Refugees at the Border: "We Will Return"

Following the Israeli withdrawal from southern Lebanon in late May, Palestinians on both sides of the border were quick to grab the historic opportunity for family reunions across the makeshift border fence. The air was filled with joy, yearning and despair as thousands of Palestinian refugees from camps in Lebanon were able - for the first time since 1967 or even 1948 - to touch their relatives living in Israel or in one of the West Bank refugee camps, exchange news and get a glimpse of the landscape of Palestine.

Anxious about media pictures and stories which remind the world that Israel continues to deny the right of return to Palestinian refugees, Israel's army started to obstruct the Palestinian refugee reunions on 4 June by adding fences that prevented physical contact between the people arriving from both sides. Protest by Palestinians on the side, joined by Knesset member Issam Makhoul, resulted in violent clashes with Israeli soldiers on 5 June, and more troops arrived to take control of the area. Israeli Minister for Public Security Shlomo Ben Ami explained to journalists that "these concentrations of thousands of people may create a dangerous situation. We are trying to find an official solution and Knesset members should not turn every situation into a Stalingrad." (*Ha'aretz*, 6 June 2000). Pending such an official solution, Palestinian refugees are no longer able to embrace each other and glance at their homeland.

The following montage includes excerpts from the press, reflections of those who visited the border, and photos.

### **Hands meeting over the wired Fence... *When will the time of embracing be due...*** (*as-Safir* newspaper 31 May 2000)

*Hey you Israeli soldier, talk to me.*  
What do you want?  
*How do you feel when relatives are crying over the fence?*  
I don't care...  
*I'm a Palestinian, from the land you are standing on...*  
I'm also from that land.  
*Why do you prevent those people from living together?*  
I only want peace.  
*And I only want to return and live in my country in peace. Would you allow me to jump over the fence?*  
No, I have orders not to allow you.  
*But you said you want peace.*  
Yes, but if you jump I'm going to react harshly.  
*Will you kill me?*  
No, I don't kill.  
*But you are hiding behind your weapon.*  
This is my duty. I'm doing my military service.  
*Are you going to kill me if I jump? You say that you hate killing.*  
I'll put you in prison. Don't try it.  
*But you want to live in peace. Your peace cannot exist except by preventing me from returning to my land?*  
Don't jump, don't try, I will prevent you.  
*You are talking violently now. I want to live with you in peace inside Palestine.*  
If you enter, I can't live inside my country. And if you try to jump I will prevent you.  
*I want peace, but you don't. Stop promoting such a lie.*  
How do you say that? Where do you want the Jewish people to live?  
*With me, but not on my expense. Let me in.*  
No, never.

**22 June 2000**

The dialogue to the left took place between a Palestinian young man and an Israeli soldier over the wired fence separating the liberated village of Dharya and the Lebanese village of Jardoun annexed by the Israelis in 1948, separating families living inside the two villages. Flowing tears were interrupting conversations over the fence, which prevented the hand from meeting. This was its duty. People from both villages gathered to meet after waiting so long. Palestinians from camps in Lebanon and from Palestine were also there. Parents of the collaborators came as well, begging their sons to return saying, "Please come back, no one is going to kill you. Your government will protect you. You will have a fair trial, and everyone will receive what he deserves inside his own country."

An iron wire separates between people, Arabs, Palestinians, and Lebanese dividing the one land into two. The road to the Lebanese border requires strong feet. It is very steep and slippery, but we realized that to reach the border you don't really need young feet. The old people were also there. It only needs strong will, affection and love, and a deep sense of belonging to that land. From the other side of the stolen land, you see the same waiting and the same emotions. The Lebanese hills used to link villagers from both sides. An old lady arrived, leaning on the

arms of two young men. She came from Palestine. Bending down to the earth with flowing tears, she took a handful of sand and threw it over her face, to feel, remember, and meet with it. She simply was living her own yearning and love. Lifting up her head with tears still flowing, she shouted as she discovered some of her relatives, but not those whom she had expected to see. Her brother passed away, as did her cousin, but his daughter was there with her young son. "I'm the last of the old generation dear aunt," she said. The aunt asked about them one by one, never forgetting a single name. She was able to meet them now, but they were all gone. She cried again, cried from the meeting that was not complete, maybe cried from the wound that cut deep into her weak body of 90 years old that insisted on penetrating the wired fence. The road was rough. You could see that people were wearing their new clothes, fit for the occasion. It is a family visit flooded with love and prevention. From inside the one meter separating both sides, you can hear a flow of names flying through the air, "My name is so and so..., I'm looking for such and such person...do you know him?" Words were not directed towards a specific person, but only hoping for a positive reaction from the other side.



Photo: Israeli soldiers constructing a second fence to prevent Palestinians from reaching their relatives on the Lebanese side of the border, May 2000

Photo: Palestinians inside Israel look for relatives, refugees in Lebanon, May 2000



The only clue was the name of a father or grandfather to re-unite the families. "Are you the son of ...your grandfather's name was....I'm your relative...whom did you marry...how many children do you have..." Talks about marriages and deaths were overshadowed by fixing dates. "Meet me tomorrow...meet me Friday after prayer, tell the others to come..." They never failed to come. News was flying so fast. Those absent suddenly appeared, and those present didn't want to leave. A girl and a boy arrived with their mother. They cried waiting for their grandfather. Nour, the little boy, kept asking for his grandfather. He knows him very well. His mother told him a lot about him. He knows him, but only needs to see him for the first time. The grandfather came at last, rushing, causing more tears to flow. Imagination became reality, breathing and talking, but not allowed to survive. Nour went on crying, calling his grandfather until the Israeli soldier told him to shut up and keep away from the fence to allow the "legal" distance, maybe to protect the wire from the warmth of a meeting that might melt it into pieces, the meeting that they feared most. Not scared at all, Nour kept crying and coming nearer until he was able to touch his grandfather's hand. His grandfather said, "Don't cry my dear, Habibi Nour...don't come and wait for me in the hot sun. I will send a message for you to come and see me again. I promise." Nour's face shone to hear that promise. He left with his mother, shouting, "You see mother, he will send for me again. Don't forget, don't forget..." Nour continued to say. Hands and bodies were penetrating the fence, the thorns of the wire were piercing its teeth inside their hands, chest, even faces, tearing their clothes, but they did not mind as long as they could have one touch from an outstretched hand. Letters, addresses, and dates were flying everywhere. Bottles of water, pieces from torn clothes, photos were exchanged across the fence, but tears were the master of the occasion. They couldn't cut the iron fence for sure, but they made it more flexible. They had been waiting all their lives to exchange such a long look, but how long will they wait to embrace each other?

## From Beirut to Bethlehem Children of Deheishe and Shatila meet at Lebanese Border

Amidst the hundreds of Palestinian families who embraced each other over the fence on the Lebanese-Israeli borders this week, there was a unique meeting of teenagers from Palestine and Lebanon. The youths, who had previously known each other via an E-mail pen-pal project organized between Shatila and Dheisheh refugee camps, were rejoiced in their first face-to-face encounter filled with songs, dances, hugs and solidarity over the barbed wires.

The meeting, which took place in the village of Arab Al-Aramshe on June 2nd, was organized between Ibdaa Cultural Center of Dheisheh camp near Bethlehem and Mayssoun Sukarieh, the coordinator of a children's project in Shatila camp in Beirut. Both groups, though coming from different directions, underwent the same obstacles of obtaining travel permits, being held up at check-points and concealing their identity before reaching the meeting place.

The youths of Shatila, who had arrived first, erupted in joy when they spotted the group from Dheisheh making their way through approximately 300 people who gathered around the border fence. "Who is Keyan?!" "Which one is Karmel?!" - the names were matched with the faces with outburst of excitement and laughter. Handshakes and kisses were exchanged over the barbed wires. Then started the rounds of songs and dances, as the two groups took turn to present their favorite tunes and dabke steps. They sang and

clapped in unison affirming that the two exile communities shared the same cultural tradition and national aspiration of Palestine, despite the distance between Beirut and Bethlehem.

Shirabe Yamada (5 June 2000)

The entire report is on the AcrossBorders website

 [www.acrossborders.org](http://www.acrossborders.org)

"I'm a man, but I wept like a baby," said Ahmad Kuleib, 19, who was born in this camp [Ain el Hilwe], as was his father before him. "I never understood how deprived I was until that day, when I pathetically waved a Palestinian flag behind a fence at the Israeli border."

The Kuleib family squeezes 15 members into a three-room house whose pink facade lights up the alley. Mohammed Kuleib and his son Ahmad spoke in the

### Postcard from Lebanon

Despite all the mixed feelings we were all very excited about the potential trip [...] Attempts in Beirut to get permission from the army failed but we were told about the possibility of using the N road which is not used by the military. Another option was to join the Hezbollah convoy if we could get permission from Hezbollah. We were still waiting for permission when there was an announcement from the Mosque in the camp saying, "the Hezbollah trip to the border on Sunday is cancelled." [...] On the Hezbollah news channel we heard the Israelis had erected another fence 3 metres from the previous 2 fences already 3 metres apart. There was concern that the people would get out of control and in frustration destroy the fence. Also the Israelis had classified the area as a military zone. We also heard one Palestinian had been shot though we were not sure where or on which side. People in the camp feel the Israeli's did this to stop the international community seeing the human side of this catastrophe. Even some of the Israeli soldiers were being affected emotionally seeing the refugee families meet for the first time. People in the camp report that, to their surprise, some soldiers even assisted them at the fence to pass letters to their relatives on the other side. It is a sad Sunday as we all sit and wait yet again for the day Palestinians can return to their homeland.

Cecily Michaels (APHEDA) and Olfat Mahmoud (Women's Humanitarian Organisation) Beirut  
Sunday, 4 June 2000  
PREA (Palestinian Refugee and Exile Awareness Association)

room where they were both born, under a tapestry depicting Mecca. Sitting on a bed in a floral housecoat, Mohammed's mother, Bahiya, 80, said she still closes her eyes and smells the sweet air of her village, fragrant with oranges and lemons in 1948.

"I used to spend my life outside, but since we left, I've pretty much been in this room," she said, hugging her youngest grandchild. "I once had orange trees, fig trees, olive trees. Now I have but these bare walls."

"Painful Glimpse of Home for Palestinians"  
*New York Times* (30 May 2000)  
Deborah Sontag





Photo: Embracing across the barbed wire fence, May 2000

Up a steep cliff along the border fence, Miriam Mousa, 65, stood on a narrow gravel strip Tuesday and came agonizingly close to her sister, Dania, and other family members torn from her after she fled her Palestinian village at the age of 13 during the 1948 war. She ended up in Lebanon, but the rest of her family remained in the former Palestine, most of which became the state of Israel.

"I was alone here for all this time. All my family was in Palestine. Look. Look at them. This is my sister, this is

my brother," she said, wiping away tears. "My God, I have been praying to see them for so long."

"I am Itaf, the daughter of Rigan," an elderly woman yelled from the Israeli side. "Who are you? Do you know me?"

Immediately, there came a scream from the other side. It was a cousin whom she had not seen since they were children.

"How did this happen to us?" the elderly woman cried out.

She turned away, crying and repeating the phrase: "How did this happen to us?"

Charles M. Sennott/Globe Staff, *Boston Globe*  
(2 June 2000)

"I came to smell the perfume of Palestine. It smells so nice. I am here but my heart is on the other side," said Mahmoud Abu Sheba, who was born and still lives in the refugee camp of Rashidiyeh, near the port city of Tyre. Abu Sheba's parents were originally from Safad, in northern Israel. "Since Wednesday, it is the third time that I come here. I can't get enough of it," he said.

[A woman] standing on the other side was introducing her husband, a Palestinian from Israel, to her mother and her sister on the Lebanese side. "I married him 25 years ago and I never had the occasion to introduce him to them," she said.

"It is terrible to live in a country like a refugee, without real rights, and to be here, separated from one's country by this little piece of iron which we can't cross over," said Tarek Abd, age 28.

Khawla Maqsoud, 30, can't stop crying. She came from the Burj al-Shamali camp near Tyre to discover the country that she had long heard of. She remains ecstatic, vowing that the Palestinians will do the same as the Lebanese and would surely return to Palestine. But then, she starts crying again and throws a stone on the other side...at nobody, just in a painful sign of helplessness.

"Palestinian refugees set eyes for the first time on their Palestine". Douhaira, Lebanon, *AFP* (29 May 29)

### 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 Tineke D'haese, Oxfam Solidarity. Postcards are available from BADIL.

For orders by email: [info@badil.org](mailto:info@badil.org)

### Children in Gaza Strip Camps and their Dreams of Return to their Villages that They Have Never Seen

Children under the age of 15 are talking about what their leadership failed to achieve for them. They are creating in their little minds a strategy in order to be free, to get their lost right of return to their original homeland, and to live a good life. Mohammed Zaqout, a child less than 10 years old, accompanied hundreds of his fellow camp children on the 15th of May in fighting in front of Netzarim settlement. He said, "I am a refugee from Asdod, and because of this, I am here to share in the fight against the Jews in the memory of the *Nakba*. I believe in my right to return one day to Asdod, which I only know about through somethings my grandmother, who is dying told me." Mohammed moaned when he said, "The geography teacher gave me full marks. He's satisfied with me because I can draw maps of all the world, especially Egypt. Also I know all the places of the Egyptian cities, what they are famous for, and about the people who live in them. But I am not good at drawing the map of Palestine. When I tried, it was crooked and not very nice. I don't even know where Asdod is on the map." "In the lesson about our land," he added, "we always asked the teacher to teach us everything about Palestine, not only Gaza and the West Bank."

One of the children interrupted, looking at his friends who was gathering stones from both sides of the street of Netzarim settlement in the north of Nuseirat Camp. He came to share in the fight saying, "I know why they don't teach us Palestinian geography and history. If we know what happened to our families 52 years ago and how they were kicked out, this will make us more aware of our situation and give us true information about our rights. Then we will ask the world about our natural right to return to our villages."

Ibrahim Abu Shamala from Beit Daras village continued, "My father is a teacher. He taught me where our village Beit Daras is and how my grandfather, who I never met, was evicted from his own land. I think that is not enough. The Palestinian Authority has to teach us the Palestinian perspective about the Palestinian *Nakba* and about Jaffa, Haifa, and Acre, not just about Gaza and Ramallah.

About the life in Nuseirat Camp, the Shaer Ne'matallah said, "I love the camp because all my family and friends are there, but the camp is not my country. I know that I am from Al-Majdal, although I have never been there. I remember how happy my grandmother was when my father brought some oranges from our orange grove, and how she cried later for my grandfather's land. At that time, my grandmother told me about their home, their neighbors, and the Haganah gang who evicted the people of Al-Majdal." After a moment of silence, Saja revealed her wish. As she looked at the tiles of her room, which was built in 1952 by UNRWA, she said, "I always dream about returning to Al-Majdal, especially since my teacher called me 'Majdalawiya'. I am proud of that. Also, I want to live a good life in Nuseirat Camp." "When I went to Gaza on a school trip," she added, "I saw the traffic lights. I wish there were some like them in the camp. Then I remembered that the Authority is not interested in camps, and, as they say, the camp is to remain as it is."

Hind Baroud, a girl of about 11 years old, said, "I hate the white and blue colors. Also I hate the uniform of the school which makes me always remember that I am a refugee and that I do not have a homeland. I hope to get out of that uniform soon and to have my own home as all the children do all over the world."

When asked about the peace with Israel and the possibility of returning to their villages, Sa'eed looked, raised his right brow, and said, "Israel shoots at us the children. Is this the kind of a country that wants peace with Palestinians and agrees to let us return to our lands? Israel will not allow us to return. Barak said in the news this morning that he will not let us the refugees return." Sa'eed asked about the possibility of return to Beersheba, saying, "Hizbollah made Israel withdraw from Lebanon. This is our only way to be like Hizbollah and not leave our weapons, because the negotiations with Israel are ridiculous. Israel speaks to us from behind the rifle, so we have to use the rifle in order to return to our lands and villages."

Children of the Gaza camps, Al-Bureij, Nuseirat, Al-Maghazi, Jabalya, Deir Al-Balah, insist in their right to return to their villages and in their right to live in the camps in better, healthier ways. One of the students asked that the streets be paved and suitable schools be built.

When we, the adults listen to the dreams and demands of those little children, nothing remains to be said. We can only demand a leadership that will act on behalf of the dreams of their generation and work to achieve their wishes and hopes.

## Patrimony of the Dispossessed

Dr. Musil Shehadeh

### The Ordeal of Leaving Jaffa (*excerpts*)

[...] Memory lane becomes selective, as one probes into its earliest stages. As young as I was, my memory has turned into short flashes. It is well known that years can elapse from one's memory, but it cannot erase important events that have molded one's life. These events are important, even by a child's own standards. I cannot forget the small street in the al-

Manshiyyah section of Jaffa where I was raised, close to Tel-Aviv. I still remember the high tower with the huge clock at the top and how I, as a child, used to play with other children on the dirty street worrying about being admonished by my mother every time I dirtied my clothes. At the end of the street on the corner was the bar-restaurant owned by my father - the Palestine Cafe. My father had a good command of the English language, which helped bring in the British clientele. Once when I came to the café to bring my father a message from my mother a British soldier gave me a chocolate candy. I remember how he looked in his khaki uniform sitting on the barstool sipping his drink. I was proud and confused as I listened to my father talking to the British soldier in a foreign language.

It was in the late forties, when the Arab-Zionist violence started. I still remember the loud instructions coming from the British mobile loud-speakers on the streets urging people to stay indoors to avoid the dangers of the violence that had been escalating from day to day. One day my father came early from his work with a panicked look on his face. He took us all into the house and told us that my mother had suddenly gone away for a few days to visit her relatives in another city and that she would be back soon. I was annoyed and objected to her sudden visit since she had promised to cook something special that particular day. I found out later that she had been injured in the market by a bomb. As a child, this incident scared me but it also created

within me resentment to the status quo. Why would somebody throw a bomb in the market place? So many people were around and so many were injured. A few were killed. The Arab news later accused the Zionists of the bombing; the Jewish news denied it.



Photo: Jaffa from the sea (*Before Exile*. Walid al-Khalidi, Institute of Palestine Studies. Beirut, 1978)

[...] It was in the early days of April 1948 that things began to get worse. One day my father came to the house in a hurry and told us to get ready because we had to leave. The fighting in Jaffa had already started. Jewish terrorist organizations simply killed people on sight. Bombs were exploding everywhere and people were getting killed. The glorious Arab armies were still deciding, however, whether or not to enter Palestine. Corpses lay at the end of our street surrounded by pools of blood. A civilian truck later came to collect them. I wondered later why there was no ambulance to do the job, unless there were too many corpses to be picked up. My father told my mother that he had seen a truck parading through the streets of Jaffa, filled with dead bodies and a loud speaker warning the unarmed civilians to run away before it was too late.

Why were they doing that? I thought the Jews were nice and friendly. My father employed some Jews from Yemen to work in his restaurant and they were hard working and friendly; I could not forget the times when we used to tour Tel-Aviv which was very close to Jaffa. We used to enjoy such trips. Why did they ask us to leave our homes? We did nothing to provoke such terrorism. Why couldn't they simply live and let live? There was ample space for everybody. Why should any of us leave; we had lived

together before and without any real problems. I remember when I stayed for a few days with my older sister who lived near the Lod airport. She was married to a communications engineer who was working at the airport and they lived in compound with other airport employees, many of whom were Jews. I used to play with the Jewish children in the compound. They were very nice; they sometimes exchanged chocolate candies for my falafel sandwiches. They did not look different and they even played the same games as us. That was why I could not understand the reason for the conflict with these people. What had happened?



Photo: Picking Jaffa oranges (*Before Exile*. Walid al-Khalidi, Institute of Palestine Studies. Beirut, 1978)

My father was not able to answer any of these questions. He simply wanted us to get ready to leave before it would be too late. He assured us that our departure would only be temporary and we would be back very soon. Now I know that he did not know what he was talking about, but neither did anybody else. Listening to the radio, my father kept reassuring us that we would only be gone for a short time, like a vacation, since the Arab armies would get rid of the Zionist gangs in a few days. There was no reason to trouble ourselves by taking with us all our possessions. I enjoyed helping my father load the truck. I did not understand why my parents were sad. My mother sat next to my father in the front truck, while the rest of us climbed on the back and chose a place to sit amid the few things from our house. Thus began our trip, out of Jaffa and into the unknown. [...]

## Exodus from Jaffa

As soon as we got out of Jaffa, I was surprised to find that we were not the only family on the road. News of the killings had spread fast and practically everybody was on the road. It was not simply mistaken judgement on my father's part that had made him decide to leave. There was a mass departure. Most of the people took the long walk out of Jaffa since they had no means of transportation. Inhabitants of neighboring villages were all walking in the same direction on the road leading east. We were lucky to own a small pick-up truck.

Many of the evacuees carried all kinds of personal possessions. The men carried things on their shoulders, the women on their heads. Some walked fast while others were very slow because of the old men and women in the group. Fathers carried children on their shoulders. Others rested on the side of the road. You could hear the children crying, maybe because of hunger, thirst or exhaustion from the trip. We stopped many times to pick up older people on the road and drop them off at well-known places close to Ramallah, where they would later be picked up by their relatives.



Photo: Jaffa harbor (*Before Exile*. Walid al-Khalidi, Institute of Palestine Studies. Beirut, 1978)

It was not a very pleasant trip, even for us children, since we had to stop many times on the way to pick up these miserable evacuees. Strangely though, we did not encounter any armed patrols except once when we came across some British soldiers. No questions were asked and no ID's were checked. This was strange because even under normal circumstances the British used to stop people, ask questions, and check IDs. Since there was no Palestinian army, it was the job of the British Mandate troops to defend the country, but they obviously had instructions not to inter-

vene. At that time there was no military units on our side only some police force hired by the British to enforce local law and discipline. [...] We also encountered some irregular armed men who were carrying rifles and moving in the opposite direction. We later found out that these were volunteers who were joining other groups in order to try to defend the country. Most of the irregulars were not trained for their mission, because the outburst of violence was sudden and people were caught off guard.



Photos: Jaffa today



Later on the road we came to a sudden stop. My father rushed to the back of the truck in a hurry and asked us to come down immediately and run to the side of the road and hide behind some rocks. It was near a little village called Latroun where a Jewish armed group was shooting at Palestinians. We were caught in crossfire. Two British jeeps full of soldiers came to the scene and started to shoot at both sides while using loud speakers warning the parties to stop shooting. Once the shooting stopped, the British soldiers escorted us past the village. A few hundred yards ahead we were stopped again by some Palestinian irregulars who asked us to help them transport a wounded man and drop him off at a hospital in Ramallah. We loaded him on the back of the truck together with another man who looked after the wounded fighter. I could not forget this scene. The wounded man was bleeding all over the place and screaming with pain. Some of my clothes were used to cushion his bloody head.

### Arrival to Ramallah

It was late afternoon that day when we arrived in Ramallah, a city located 16 kilometers north of Jerusalem. After asking for directions we drove to the hospital located at the top of a hill. It had an iron gate and was guarded by a man who was very reluctant to allow us in to unload our wounded guest. He insisted that there was no space for the injured man.

After some heated discussion, the guard finally opened the gate and the man was taken to the emergency section for treatment. My father helped carry the wounded man into the hospital and I, being very curious, followed them inside. I wish I had not, because I came across one of the most horrifying scenes I had ever witnessed. Huge numbers of wounded people lay everywhere. Bleeding bodies were arranged from head to toe on both sides of the long corridor. The place was filled with screams of pain and agony. Every single room full with wounded of all ages, including children with bloody bandaged heads. Everybody was pleading with us to help them. I could not take it and I ran immediately outside to the truck. I was practically paralyzed with fear and I buried myself under our belongings on the back of the truck. I could not think of anything else except the ghastly scene I had just witnessed.

After that we continued to drive around Ramallah, only stopping to unload some of our passengers who we had picked up on the road. I

### New from BADIL

BADIL Information & Discussion Brief No. 4, Susan M. Akram, **Temporary Protection Status and its Applicability to the Palestinian Case.** (June 2000)



BADIL Information & Discussion Brief No. 5, Terry Rempel, **The United Nations Conciliation Commission for Palestine, Protection and a Durable Solution for Palestinian Refugees.** (June 2000)



Refugee Campaign Packet: **-The Right of Return -Palestinian Refugees in Exile: Country Profile** (Arabic, 2nd Edition, BADIL, 2000)



felt bad when we said goodbye to them, since we knew they might have to sleep on the street that night waiting for their relatives. We could not keep them with us on the truck since we did not know where we were going and we did not want to risk their separation from the rest of their families.

After we finished our humanitarian mission, we continued to drive around the town. I thought it was part of our trip, to take a sight seeing tour of the city. Later I found out that my father was looking for a temporary place to stay, since it was too cold to stay in the pick-up. The two hotels in town were very crowded and expensive. No wonder we saw so many families sitting in the barren hills and under the trees. They had no place else to go. How could they survive the cold weather without a shelter?

People were everywhere on the streets and in the hills. Tens of thousands of refugees. We stopped on one street to look for some temporary shelter in a field full of pine trees. Another family already occupied the space under the tree next to us. They were removing stones and smoothing the ground for their stay. We tried to do the same, but when my father saw that we were shivering from the cold he changed his mind. We re-loaded our truck and headed back to Ramallah.

At that time Ramallah had a Christian majority, and being Christians, my father thought that he could solicit help from the church. When we arrived at the church we were amazed at the multitude of people crowded in and around the church. When we asked the priest for help and he told us to find a spot, but there was no room inside the church and the churchyard was already occupied. We ended up getting back on the truck to look for another place. Finally we stopped at a garage, and after a discussion with the garage owner, my father came back with a smile on his face. For a small fee the garage owner allowed us to stay indoors, where we occupied one of the corners of the garage. We were not allowed to stay at the garage, however, during the day. This marked the first day of being a refugee outside our home in Jaffa.

That first night, spent at the garage, dimmed my initial excitement about the trip. It was not exactly the kind of picnic I expected. The floor of the garage was cold and hard compared to my bed in Jaffa. Toilet facilities were non-existent. Going around the corner to accommodate nature's call was humiliating for all of us. It was not long before everybody went

to sleep listening to my father assuring us in Arabic al-Sabah Rabah, which meant things would be better in the morning - he hoped!

Early in the morning before the garage opened for business, we climbed back into our pick-up truck. My father parked the truck near the market, while he went on an errand that took him the entire morning. We spent the time simply loafing around. At the end of the day my father returned to tell us things would be better. He explained that he had just attended a mass rally, along with king Abdullah and the head of the army, held at the local theater. Very soon we would be on our way home, once the army had liberated Jaffa. It was very good news but how soon was soon? Nobody would even dare to ask, let alone speculate. In the meantime, we had to watch out for ourselves and soon we would be home! Later my father brought us some bread, white cheese, and a bucket of water for lunch. That day turned into a routine that lasted weeks, in which we would leave the garage in the morning and spend the time driving around, returning to the garage at the end of the day.

Meanwhile more refugees arrived in Ramallah from other areas in Palestine. [...] Over 800,000 Palestinians found themselves without homes or shelters. Ramallah became very crowded and immediate humanitarian assistance became urgent. The UN sent supplies and set up food centers and camps to accommodate the daily needs of the refugees. UN officials told us that facilities had been established to accommodate all the refugees and we were directed to a UN camp, hurriedly prepared, in order to have a temporary place to stay until we returned home. It was not difficult to find the camp, since at that time roads in and out of Ramallah were few.

The trauma of the human drama unfolded in front of our eyes when we reached the camp. Hordes of people, thousands, were all waiting in line. Everywhere people were shouting. Mothers were looking for their sons or daughters, husbands were looking for wives, or mothers and sisters. Crying children were looking for their parents. Everybody was looking for somebody. Nobody knew what was going on, or what to expect. At the entrance to the camp, people were registered, assigned a tent, issued a special ID card, and given some blankets and cooking utensils. We had to wait long hours in line before we reached the desk set up in front of the camp. We were now officially refugees.■

## resources

**Eviction from Jerusalem: Restitution and Protection of Palestinian Rights** (BADIL, 1999) English and Arabic, 30 pages, US\$5.

**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.

### 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)

### Additional Briefs forthcoming.

US\$5 print copies; free copies on the BADIL website.

## 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 Ghnain 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.  
[www.badil.org](http://www.badil.org)

## Websites

WWW

BADIL Arabic Website:  
[www.badil.org/Arabic%20Website/index.htm](http://www.badil.org/Arabic%20Website/index.htm)

Across Borders Project  
[www.acrossborders.org](http://www.acrossborders.org)

SHAML  
[www.shaml.org](http://www.shaml.org)

Eye to Eye  
[www.savethechildren.org.uk/eyetoeye/](http://www.savethechildren.org.uk/eyetoeye/)

Palestinian Refugee ResearchNet  
[www.prrn.org](http://www.prrn.org)

Palestinian Return Centre  
[www.prc.org.uk](http://www.prc.org.uk)

Al-Awda, The Palestine Right to Return Coalition  
<http://al-awda.org>

Council for Palestinian Repatriation and Restitution  
[www.cpr.org](http://www.cpr.org)

All That Remains (Destroyed Palestinian Villages)  
[www.allthatremains.org](http://www.allthatremains.org)

Centre on Housing Rights and Evictions (COHRE)  
[www.cohre.org](http://www.cohre.org)

Office of the United Nations High Commission for Refugees  
[www.unhcr.ch](http://www.unhcr.ch)

Arab Association for Human Rights  
[www.arabhra.org](http://www.arabhra.org)

Adalah - The Legal Center for Arab Minority Rights in Israel  
[www.adalah.org](http://www.adalah.org)

## 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 some of those new hopes and dreams for the right to return to homes and lands as they were expressed by refugees and non-refugees alike who met at the Lebanese border after the withdrawal of Israeli forces from southern Lebanon in late May. These hopes are juxtaposed against the anxiety of refugees living in the shadow of the final status negotiations and related in the feature interview with Palestinian refugee activists in Lebanon and 1967 occupied Palestine. At the same time, the interview and the summary of campaign activities in 1948 Israel/Palestine, 1967 occupied Palestine, Europe, and the United States illustrates the sense of hope evident in the grassroots mobilization around the right of return. **al majdal** also covers new developments in research on refugee protection and highlights the recent nomination of UNRWA, which has provided assistance for Palestinian refugees for five decades, for a Nobel Peace Prize. The nomination provides another opportunity to raise awareness about Palestinian refugees and their right of return, restitution, and compensation.

## al majdal

### مجدل جاد

al-majdal is an Aramaic word meaning fortress. The town was known as Majdal Jad during the Canaanite period related 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 in order to gain full control of 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 Palestinian 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.

# badil

لمصادر حقوق المواطنة والأجانب

بديل المركز الفلسطيني

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.