

Palestine

Refugee Rights and International Responsibilities

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A lasting peace between Israel, the Palestinians, and the neighboring Arab countries has eluded the region for decades. At the heart of the problem are conflicting rights that two peoples claim over the same land. The conflict over that land has resulted in a large Palestinian refugee population and the extent to which the rights of those refugees can be resolved by the international community, Israel and its allies, the refugee host countries as well as Palestinian organizations will largely determine whether peace can be achieved in the region as well as the extent to which the issue will either strengthen or weaken the institutions of international law.

The Middle East conflict has long historical roots. The first Kingdom of Israel was established in about 1000 BCE as Jews entered the area and gradually replaced the Canaanites and Philistines.¹ However the kingdom was short lived and over the centuries the region came under Persian, Greek and Roman rule and became known as Palestine. Jewish revolts led to short periods of Jewish independence but those revolts were crushed and imperial rulers responded with harsh forms of repression. The majority of Jews were forced into exile. The Jewish dispersion to many parts of the world became known as the Jewish diaspora.

When Arab Muslims conquered Palestine from the Roman Byzantium Empire in 634 CE, only a few small and scattered Jewish communities were left in the area.² Many Jews living in the diaspora however maintained the belief that they had a right to live in Palestine and had nurtured the hope of returning ever since they were expelled by the Greeks and Romans. With the exception of a short interlude when Palestine was occupied by European Crusaders, Muslims remained in control of the area until World War I, during which it was captured by the British. During British rule, the Jewish desire to return to Palestine was given new life by the Zionist

¹ Charles D. Smith, *Palestine and the Arab-Israeli Conflict: A History with Documents*, (Boston: Bedford/St. Martins, 2004), 1-6.

² Fred Khouri, *The Arab-Israeli Dilemma*, (Syracuse: Syracuse University Press, 1985), 2.

Movement, which had been established in the late 19th Century with the explicit objective of establishing a Jewish state in Palestine.³ Hundreds of thousands of Jews immigrated to Palestine from various parts of the world during the British occupation.

When the British unilaterally left Palestine in 1948, the struggle that broke out between the Arabs and Jews ultimately led to the establishment of Israel. That struggle also resulted in 750,000 Palestinian refugees.⁴ For more than 60 years, the rights of those refugees and their descendants as well as the responsibilities that others have toward them have been at the center of the continuing conflict in the region. The international community, Israel and its allies, the host countries as well as Palestinian organizations have all dealt with the rights of the Palestinian refugees. The different ways these various actors have defined their responsibilities toward the refugees has been a major impediment to any diplomatic resolution of the Arab-Israeli conflict.

The United Nations passed Resolution 194 on December 11, 1948. Article 11 of the resolution stated:

Resolves that the refugees wishing to return to their homes and live at peace with their neighbors should be permitted to do so at the earliest practicable date, and that compensation should be paid for the property of those choosing not to return and for loss of and or damage to property of which, under principles of international law or in equity, should be made good by the Governments or authorities responsible.⁵

Resolution 194 established the right of the Palestinian refugees to return to their homes as part of international law.⁶ Resolution 194 also established a three-member Palestine Conciliation Commission made up of the United States, France and Turkey which was instructed to "facilitate

³ First Zionist Congress, *The Basle Declaration*, August, 1897. Reprinted in Walter Laqueur and Barry Rubin (ed.), *The Israel-Arab Reader: A Documentary History of the Middle East Conflict*, (London: Penguin Books, 1969), 9-10.

⁴ IRIN Humanitarian News and Analysis, "Middle East: Palestinian Refugee Numbers/Whereabouts," June 22, 2010, <http://www.irinnews.org/printreport.aspx?reportid=89571> (accessed on January 28, 2014).

⁵ United Nations, General Assembly Official Documents, Resolution 194, December 11, 1948, <http://daccess-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/043/65/IMG/NR004365.pdf?OpenElement> (accessed on January 10, 2014).

⁶ Francis A. Boyle, *Palestine, Palestinians and International Law*, (Atlanta: Clarity Press, 2003), 69.

the repatriation, resettlement and economic and social rehabilitation of the refugees and the payment of compensation."⁷ Thus the resolution also made it clear that the international community had the responsibility of ensuring that the rights of the Palestinian refugees were fulfilled.⁸

The plight of the refugees throughout 1948 and 1949 was dire as the countries to which they had fled did not have the economic resources to properly care for them and the refugees lacked adequate food, clothing and shelter.⁹ The United Nations recognized that until Resolution 194 allowing for the repatriation of the refugees to their homes could be implemented, the international community had a responsibility to assist them in their place of refuge. On December 8, 1949, a year after the passage of Resolution 194, the United Nations passed Resolution 302, establishing the United Nations Reliefs and Works Agency (UNRWA) to provide direct economic assistance to the Palestinian refugees.¹⁰ Since 1950, the UNRWA has continued to provide education, health care, social services, emergency aid, and jobs in public works projects to Palestinian refugees in Jordan, Lebanon, Syria, and the West Bank and Gaza Strip. It is the only UN agency dedicated to helping refugees from a specific conflict.¹¹ All other refugees receive assistance from the United Nations High Commissioner for Refugees (UNHCR).

⁷ See United Nations, Resolution 194.

⁸ Gail Boling, "Palestinian Refugees and the Right of Return: An International Law Analysis. BADIL - Information and Discussion Brief, No. 8, January, 2001, [http://www.internal-displacement.org/8025708F004CE90B/\(httpDocuments\)/63635181C7F4F474C12574AD0040D307/\\$file/Brief-No.8.pdf](http://www.internal-displacement.org/8025708F004CE90B/(httpDocuments)/63635181C7F4F474C12574AD0040D307/$file/Brief-No.8.pdf) (accessed on January 9, 2014).

⁹ See Appendix I for photos showing the conditions that the refugees lived in both right after the 1948 war as well as a few years after the war.

¹⁰ United Nations General Assembly, "302 (IV) Assistance to Palestine Refugees." December 8, 1949, <http://unispal.un.org/UNISPAL.NSF/0/AF5F909791DE7FB0852560E500687282> (accessed January 20, 2014).

¹¹ UNRWA, "Who We Are," United Nations Reliefs and Works Agency, <http://www.unrwa.org/who-we-are> (accessed on January 17, 2014).

Israel has rejected the Palestinian right of return arguing that the refugee problem occurred as a result of a number of Arab countries invading Israel after Israel declared its independence and that therefore those Arab countries have the responsibility of resettling the Palestinian refugees in the Arab world.¹² Israel also argues that over 550,000 Jews either fled from Arab countries and went to Israel in the immediate aftermath of the establishment of Israel or immigrated to Israel from Arab and Muslim countries between 1950 and the early 1970s.¹³

Israel was established soon after the Holocaust decimated the Jewish population of Europe and after decades in which the persecution of Jews in many parts of Europe led many Jews to believe that their safety could not be guaranteed except in a Jewish state.¹⁴ Israel sees itself as a haven for Jews throughout the world and in 1950 it passed a Law of Return stating that Jews from anywhere in the world had a right to immigrate to Israel and obtain immediate citizenship.¹⁵ More than 3 million Jews, the majority from Europe, have immigrated to Israel since 1948.¹⁶ Israel claims that its responsibility to provide sanctuary to the Jews from Arab countries, Europe and other parts of the world and the costs it has incurred to resettle these Jews in Israel precludes it from allowing the Palestinian refugees from the 1948 war to return to their homes.¹⁷ Many of those homes had already been confiscated and given to Jewish immigrants or

¹² Alan Dershowitz, *The Case for Israel*, (Hoboken NJ: Wiley & Sons, 2003), 79-90.

¹³ Mitchell G. Bard, "Fact Sheet: Jewish Refugees from Arab Countries," January, 2013, http://www.jewishvirtuallibrary.org/jsource/talking/jew_refugees.html (accessed January 22, 2014). See Appendix II for a map detailing the decrease in the Jewish population in a number of Muslim countries between 1948 and 2000.

¹⁴ Provisional State Council, "State of Israel: Proclamation of Independence," May 14, 1948, Tel Aviv. Reprinted in Walter Laqueur and Barry Rubin (ed.), *The Israel-Arab Reader: A Documentary History of the Middle East Conflict*, (London: Penguin Books, 2008), 81-83.

¹⁵ David Ben Gurion, "The Law of Return," July 5, 1950. Reprinted in Jewish Virtual Library, https://www.jewishvirtuallibrary.org/jsource/Politics/Other_Law_Law_of_Return.html (accessed on January 10, 2014).

¹⁶ Central Bureau of Statistics, State of Israel. Compiled and reprinted in Jewish Virtual Library, "Immigration to Israel," https://www.jewishvirtuallibrary.org/jsource/Immigration/Immigration_to_Israel.html (accessed on January 10, 2014).

¹⁷ Israel Science and Technology Directory, "Middle-East Refugees," <http://www.science.co.il/Arab-Israeli-conflict/Refugees.asp> (accessed January 28, 2014).

destroyed to make way for new housing by 1950.¹⁸ Israel also believes that giving the right of Palestinian refugees and their descendents to return to their homes would dramatically alter the demographics of Israel making Jews a minority in the state. This would undermine Israel's role as a Jewish state as well as the ability of Israel to fulfill its responsibilities toward Jews throughout the world.

The United States was the first country to recognize Israel after its declaration of independence on May 14, 1948 and has remained its closest ally ever since.¹⁹ The alliance with Israel has not however meant that the two agree on all issues. The United States voted for Resolution 194 and for years American officials pressured Israel to repatriate the Palestinian refugees.²⁰ America publicly pronounced its position that the Palestinian refugees had a right to return to their homes and that Israel had the responsibility to repatriate and compensate them. In 1955 the Eisenhower administration offered significant U.S. financial assistance to Israel if it would abide by the strictures of Resolution 194.²¹ As the years passed, the American administration however lessened its pressure on Israel.²² While its official position in support of Resolution 194 did not change, the American administration began accepting the Israeli argument that large scale repatriation was no longer feasible.

During the negotiations preceding the 1993 Oslo Accords, which established a framework for peace between Israel and the Palestinians, and in various talks that occurred after

¹⁸ Adnan Abdelrazeq, "The Refugee Question: Israeli Violations of UN Resolution 194 (III) and Others Pertaining to Palestinian Refugee Property," *Palestine Israel Journal*, Vol.15-16 #3, 2008, <http://www.pij.org/details.php?id=1220> (accessed January 5, 2014).

¹⁹ George Lenczowski, *American Presidents and the Middle East*, (London: Duke University Press, 1992).

²⁰ House of Representatives Committee on Foreign Affairs, "Palestine Refugees: Hearings Before the Committee on Foreign Affairs House of Representatives," 81st Congress, Second Session on S.J. Res. 153, February 16 and 17, 1950 (Washington DC: US Government Printing Office, 1950).

²¹ Donald Neff, *Fallen Pillars: U.S. Policy Towards Palestine and Israel Since 1945*, (Washington D.C.: Institute for Palestine Studies, 1995), 79.

²² Seth Tillman, *The United States in the Middle East: Interests and Obstacles*, (Bloomington: Indiana University Press, 1982), 172-229.

those accords were signed, the United States actively sought to resolve the Palestinian refugee issue without allowing for their repatriation.²³ Rather than offering to provide additional aid to Israel to repatriate the Palestinian refugees and their descendents, it began offering the Arabs and Palestinians promises of substantial financial assistance if the Palestinian refugees would accept compensation and give up their right to return to their original homes. Nearly all American sponsored peace proposals since 1993 involve Israel withdrawing from most of the West Bank and Gaza Strip, Palestinian territories that were occupied after the 1967 war, and providing some kind of compensation to the 1948 refugees in return for their giving up of their right to return to the areas that became Israel in 1948.²⁴

Since the signing of the Oslo Accords, the issue of refugee rights has been the greatest impediment to concluding a comprehensive peace agreement in the Middle East. Palestinians, Israelis and most Arab countries have made official statements asserting that they would accept the general outlines of a peace agreement that allowed for the establishment of a Palestinian state in the West Bank and Gaza Strip. The Arab States and the Palestinians however demand that a two-state solution also has to include the right of the Palestinian refugees and their descendents from the 1948 war to return to their homes whereas Israel continues to reject this right.

More than a decade before the Oslo Accords were signed, Saudi Arabia's King Fahd published a peace plan in 1981 in which Saudi Arabia for the first time asserted that it would be willing to recognize Israel if Israel accepted the Palestinian right of return and withdrew from the West Bank and Gaza Strip.²⁵ At an Arab Summit meeting held in Fez, Morocco on September 9,

²³ Charles D. Smith, *Palestine and the Arab-Israeli Conflict: A History with Documents*, (Boston: Bedford/St. Martins, 2010), 433-515.

²⁴ Bill Clinton, "The Clinton Parameters," January 7, 2001. Clinton Speech to the Israeli Policy Forum. Reprinted from Ha'aretz. <http://www.jewishvirtuallibrary.org/jsource/Peace/clintplan.html> (accessed on January 20, 2014).

²⁵ Fahd Ibn Abd al-Aziz, "Eight Point Peace Plan," August 7, 1981, United Nations Information System on the Question of Palestine - UNISPAL, <http://unispal.un.org/unispal.nsf/9a798adbf322aff38525617b006d88d7/5fb09709f4050b8985256ced007390d8?OpenDocument&Highlight=0,fahd> (accessed January 24, 2014).

1982 the Arab League adopted a resolution along the same lines.²⁶ Both the Fahd plan, the Fez Resolution as well as the Arab peace initiatives that came after Oslo including the Arab Peace Initiative of 2002 and the Riyadh Summit resolution of 2007 all stated that a comprehensive peace plan would require full adherence to UN Resolution 194 and that any deal calling for the permanent settlement of Palestinian refugees in the Arab states would be rejected.²⁷

There are 4.8 million Palestinian refugees currently registered with the UNRWA.²⁸ These are the surviving refugees who fled their homes in 1948 and their descendents. About 1.9 million of these refugees live in the West Bank and Gaza Strip, about 2 million live in Jordan, 430,000 in Lebanon and 470,000 in Syria.²⁹ More than 60 years after their initial displacement about 1.4 million of these refugees still live in refugee camps. These refugee populations constitute large percentages of the populations of the countries in which they reside and as a politically aware yet impoverished population they have frequently clashed with the authorities in those states.³⁰ Palestinian refugees ignited a civil war in Jordan in 1970 and were a major factor behind the Lebanese Civil War that was fought from 1975 to 1991.³¹ Jordan is the only country that has

²⁶ Arab League, Twelfth Arab Summit Conference: Final Statement, September 9, 1982. Reprinted in Walter Laquer and Barry Rubin, *The Israel-Arab Reader: A Documentary History of the Middle East Conflict*, (New York: Penguin Books, 2008), 263-265.

²⁷ Council of Arab States, "The Arab Peace Initiative," March 27, 2002, <http://www.al-bab.com/arab/docs/league/peace02.htm> (accessed January 24, 2014).

²⁸ Rex Brynen, "Palestinian Refugees: An Overview," Palestinian Refugee Research Net - PRRN, <http://prrn.mcgill.ca/background/index.htm>, (accessed January 20, 2014).

²⁹ Ibid. These figures are from before the current conflict in Syria led to the expulsion of tens of thousands of Palestinian refugees from Syria. See Appendix III for a map showing the size and location of the refugee camps in 2003. In the past ten years the camps have grown slightly larger than the 2003 figures in the map.

³⁰ Fawaz Turki, *The Disinherited: Journal of a Palestinian Exile*, (New York: Monthly Review Press, 1972).

³¹ Fawwaz Traboulsi, *A History of Modern Lebanon*, (London: Pluto Press, 2007), 187-204.

provided Palestinian refugees with citizenship.³² The refugees living in Lebanon, on the other hand, face severe restrictions on where they can live and even what kinds of jobs they can hold.³³

Like the Arab states, most Palestinian leaders and organizations, continue demanding that the right of return be included in any final peace deal with Israel. Palestinians retain a strong attachment to their ancestral lands.³⁴ Most have kept the keys to the homes they left in 1948 (even though most of those homes have since been destroyed) as a symbol both of their right to return as well as of their expectation that they will ultimately return to their homes.³⁵ Palestinian leaders who have hinted that they might accept a peace deal with Israel that did not include the right of return have lost popularity and legitimacy among Palestinians. Palestinian leaders negotiating with Israel are often reminded that they do not have the right to give away the Palestinian right of return and that it is their responsibility to ensure that Israel and the international community fulfill their obligations toward refugee rights as represented in Resolution 194.³⁶

The issue of the Palestinian refugees has thus been the most intractable of all the issues dividing Israel and the Arabs and making a comprehensive peace deal difficult to obtain. While the Palestinians and the Arabs more generally perceive the right of return as inviolable and that giving it up would be a grave shirking of their responsibility toward the refugees, Israel adamantly refuses to even consider the repatriation of refugees as a possibility and feels no responsibility toward them. The United States is trying to bridge these positions by recognizing

³² Roula El-Rifai and Nadim Shehadi, "An Offer They Can Refuse: Host Countries and the Palestinian Refugee Issue." In Rex Brynen and Roula El-Rifai (eds.), *The Palestinian Refugee Problem: The Search for a Resolution*, (London: Pluto Press, 2014), 106-129.

³³ Red Hill Films. "The Camps: Palestinian Refugees in Lebanon," *Alternate Focus*, YouTube, October 7, 2006, <https://www.youtube.com/watch?v=-uCKLgheG1w> (accessed January 18, 2014).

³⁴ Phone Interview with Hassan Abou Emara, March 12, 2014.

³⁵ See Appendix IV.

³⁶ Mazin Qumsiyeh, "Palestinian Refugees Right to Return and Repatriation," *If Americans Knew*, <http://www.ifamericansknew.org/history/ref-qumsiyeh.html> (accessed January 22, 2014).

the principles enshrined in Resolution 194 but trying to convince the Palestinians to accept the compensation aspect of the resolution as part of a deal in which the Palestinians give up their right of return. The future of any comprehensive peace deal in the region will largely depend on a resolution concerning the various positions on the rights of the Palestinian refugees as well as the responsibilities that different actors have toward those rights.

The issue of the Palestinian refugees epitomizes how vital it is to recognize the importance attached to the intangible concept of rights in a historical perspective as well as the importance various actors have toward fulfilling their responsibilities with respect to those rights. Just as Jews living in the diaspora maintained for centuries the feeling that they had a right to return to Palestine, until the millions of Palestinian refugees feel that their rights have been fulfilled it is unlikely that there will be an enduring peace in the region.

In the past century, there have been great developments in providing a framework of international law through the United Nations and numerous international agreements and treaties that are aimed at making international relations a little less anarchic.³⁷ These laws attempt to establish certain rights in the international arena just as there are rights in a domestic context. By providing protection to weaker members of the international community, such rights provide guidelines to international relations in ways that make the world a better place for everyone. U.N. resolutions represent the most basic of all these laws and it is the responsibility of all international actors, especially the powerful ones, to adhere to both the spirit and letter of U.N. Resolutions to ensure that there is some order in the international system. This is largely why the United States maintains an official policy in support of U.N. Resolution 194 even though it hopes to convince the Palestinians to accept financial compensation and resettlement in other

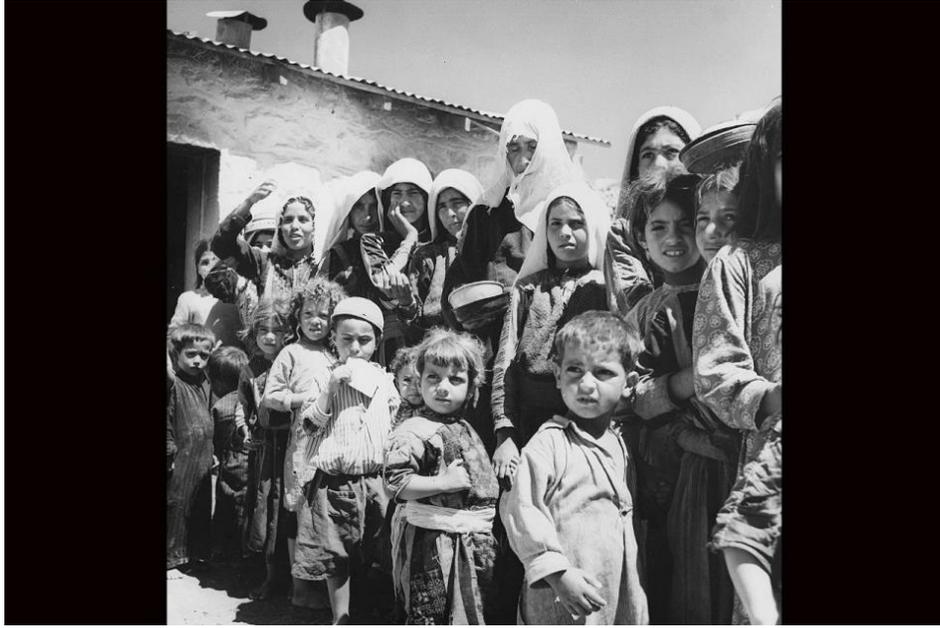
³⁷ Kenneth N. Waltz, *Man, the State, and War: A Theoretical Analysis*, (New York: Columbia University Press, 1959), 159-186.

areas in exchange for voluntarily giving up their right to repatriation in Palestine. A peace agreement in which all actors feel that the refugee rights have been adequately addressed based on international law will underscore the importance and relevance of the international system and will thus have significance far beyond the refugee issue itself.

Appendix I: Images of Palestinian Refugees from 1948 Conflict

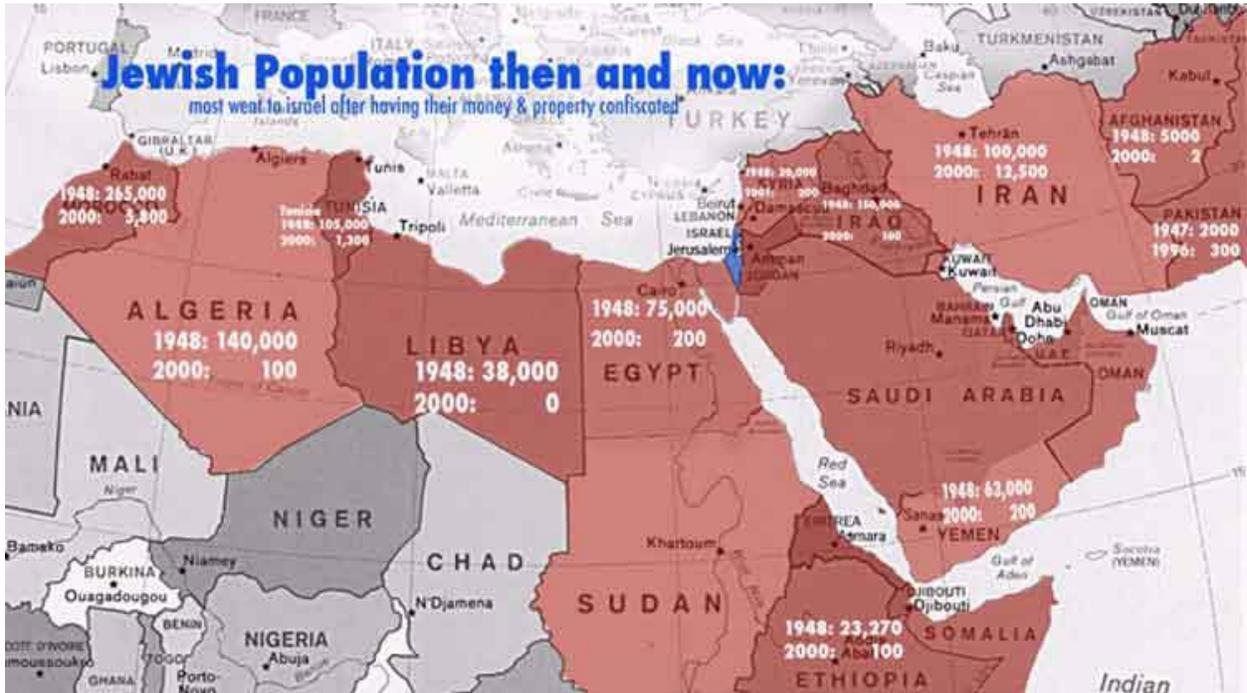


This is a photo of a Palestinian refugee camp set up in Lebanon in 1948. This photo was reprinted in Martin Asser, "Obstacles to Arab-Israeli Peace: Palestinian Refugees," BBC News, Sept. 10, 2010, <http://www.bbc.co.uk/news/world-middle-east-11104284> (accessed March 15, 2014).



This 1955 photo shows Palestinians lining up to get food at a UNRWA refugee camp in Jordan seven years after they became refugees. While they were no longer living in tents, they were still dependent on outside aid. Three Lions/Getty Image reprinted in Aljazeera America, "A Visual History of Palestinian Refugees," Sept. 12, 2013, <http://america.aljazeera.com/articles/2013/9/12/a-visual-history-of-palestinian-refugees.html>, (accessed March 15, 2014).

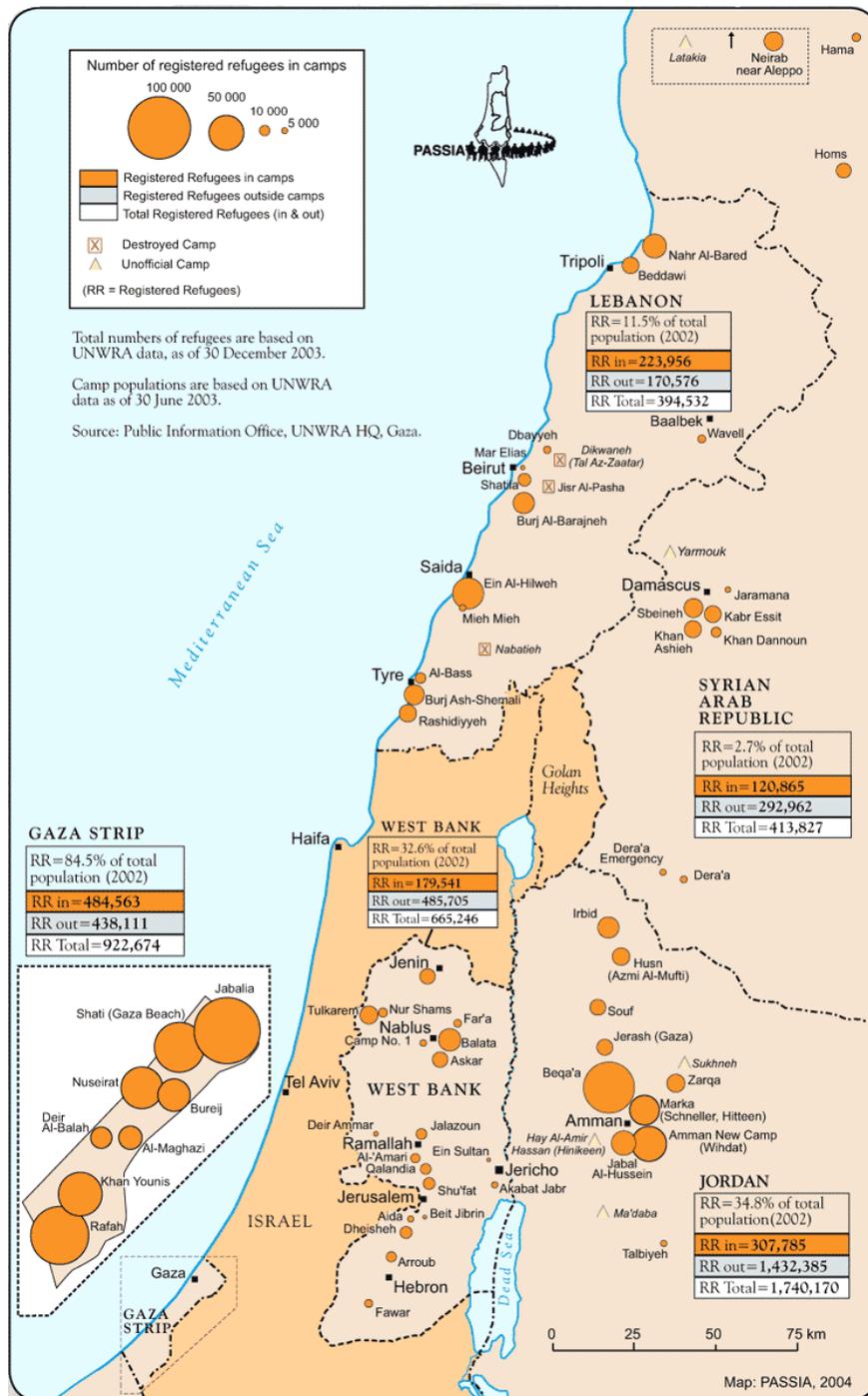
Appendix II: Map Showing Change in Jewish Population in Selected Muslim Countries



This map shows the huge drop in the number of Jews living in Arab and Muslim countries between 1948, when Israel was established, and the year 2000. While many of the Jews that left these Muslim countries went to Europe and America, over half immigrated to Israel. This map was taken from the website Facts of Israel.com, <http://www.factsofisrael.com/en/stats.shtml> (accessed March 20, 2014).

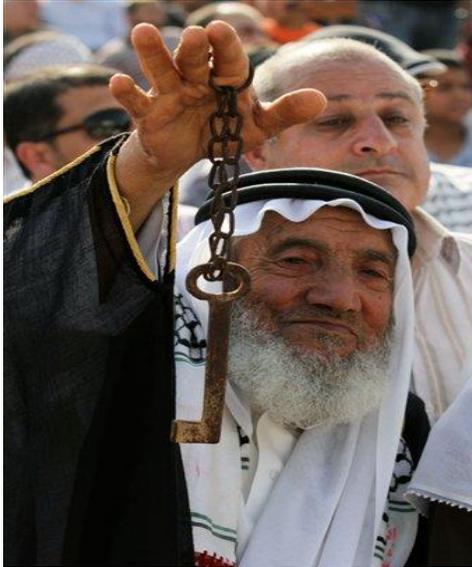
Appendix III: Map Showing Location and Size of Palestinian Refugee Camps in 2003

Palestinian Refugees - Area of UNRWA Operations



This map shows the locations and sizes of the camps holding Palestinian refugees from the 1948 war 55 years after the war was over. It is based on UNRWA data and was made by the Palestinian Academic Society for the Study of International Affairs, http://www.passia.org/palestine_facts/MAPS/Refugees-UNWRA-2001.html (accessed March 17, 2014).

Appendix IV: The Key as a Symbol of the Palestinian Right of Return



During a demonstration in Amman, Jordan against any attempt to compromise on the Palestinian right of return, this refugee displayed the key to the house that he left in 1948. This photo was taken from the Associated Press, "Thousands Protest For Palestinian Right of Return," May 16, 2011. <http://topnews360.tmcnet.com/topics/associated-press/articles/11/05/16/175253-thousands-protest-palestinian-right-return.htm> (accessed March 17, 2014).



The symbolism of the key is used at the gate to this refugee camp. This photo is from the official site of the Palestinian Mission to the United Nations, <http://www.un.int/wcm/content/site/palestine/cache/offonce/pid/11587>, (accessed March 18, 2014).

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Abd al-Aziz, Fahd Ibn. "Eight Point Peace Plan," August 7, 1981, United Nations Information System on the Question of Palestine - UNISPAL, <http://unispal.un.org/unispal.nsf/9a798adbf322aff38525617b006d88d7/5fb09709f4050b8985256ced007390d8?OpenDocument&Highlight=0,fahd> (accessed January 24, 2014).

Reading the text of the Fahd Peace Plan enabled me to understand exactly what it said. The plan enabled me to understand first that Saudi Arabia was clearly willing to live at peace with Israel. At the same time, the plan underscored the centrality of resolving the Palestinian refugee issue for any negotiated settlement of the Arab-Israeli conflict to gain support throughout the Arab world.

Abou Emara, Hassan. Interview. March 12, 2014.

Hassan Abou Emara is a 78-year-old Palestinian that is originally from the coastal city of Yaffa. In 1948, when he was 12 years old, he was forced from his home and resettled in a refugee camp in Gaza. He later worked as a teacher in a UNRWA school in Gaza before moving to Kuwait. After the Gulf War, he along with hundreds of thousands of other Palestinians in Kuwait, were forced to leave and he lived in Romania and Sudan for a few years before resettling in Jordan. He helped me understand the difficulties that Palestinian refugees have endured as well as the strong attachment that Palestinians hold to their ancestral lands. He noted that he like nearly all other Palestinians, including his children and grandchildren many of whom have never been to Palestine, harbor a strong desire of returning to Palestine. He also explained to me that many refugees distrust Palestinian political leaders and would quickly abandon them if they tried to compromise on the Palestinian right of return.

Arab League. Twelfth Arab Summit Conference: Final Statement, September 9, 1982. Reprinted in Walter Laquer and Barry Rubin, *The Israel-Arab Reader: A Documentary History of the Middle East Conflict*, (New York: Penguin Books, 2008), 263-265.

The Arab Conference Summit statement helped me understand the centrality of the Palestinian refugee issue to the conclusion of an Arab-Israeli peace settlement. The statement was very closely aligned to Fahd's Eight Point Peace Plan thus helping me to further understand the influence that Saudi Arabia can wield within the Arab League.

Ben Gurion, David. "The Law of Return," July 5, 1950. Reprinted in Jewish Virtual Library, https://www.jewishvirtuallibrary.org/jsourc/Politics/Other_Law_Law_of_Return.html (accessed on January 10, 2014).

This text of the Israeli Law of Return enabled me to understand exactly what the law meant and how central the concept of providing a haven for Jews throughout the world is to the whole mission that Israel sees for itself as a nation. The Law

enabled me to realize how much Israel feels that its existence is important to provide for the safety of Jews everywhere.

Boyle, Francis A. *Palestine, Palestinians and International Law*. Atlanta: Clarity Press, 2003.

Written by an international lawyer who served as a legal advisor to the Palestine Liberation Organization, this book provided a pro-Palestinian viewpoint of how international law can be used to promote Palestinian interests, especially as part of negotiations for a comprehensive peace plan. The book relied heavily on explanations of international law and helped me understand the concept of international law and how it is used by nations and peoples. As a lawyer for the PLO, the book also helped me understand the Palestinian viewpoint on many issues and I included the book as a primary source because of the role Boyle played as a legal advisor to the PLO.

Central Bureau of Statistics. State of Israel. Compiled and reprinted in Jewish Virtual Library, "Immigration to Israel," https://www.jewishvirtuallibrary.org/jsource/Immigration/Immigration_to_Israel.html (accessed on January 10, 2014).

This site provided detailed information on immigration to Israel every year from 1948 until 2013 with data showing how many Jews immigrated to Israel from each country every year. It helped me understand the large number of immigrants that Israel has had to absorb since their establishment in 1948 and thus better understand the Israeli arguments that are forwarded for why they cannot allow Palestinian refugees to return to their homes.

Clinton, Bill. "The Clinton Parameters," January 7, 2001. Clinton Speech to the Israeli Policy Forum. Reprinted from Ha'aretz. <http://www.jewishvirtuallibrary.org/jsource/Peace/clintplan.html> (accessed on January 20, 2014).

President Bill Clinton's 2001 speech outlining what had become known as "The Clinton Parameters" clearly laid out a plan Clinton had presented to both the Palestinians and Israelis in December 2000 and marked the culmination of almost a decade of intense American diplomacy aimed at resolving the Middle East conflict. The Clinton parameters required that the Palestinians give up their right of return based on Resolution 194 in return for compensation and the establishment of a Palestinian state in the West Bank and Gaza Strip.

Council of Arab States. "The Arab Peace Initiative," March 27, 2002, <http://www.al-bab.com/arab/docs/league/peace02.htm> (accessed January 24, 2014).

The text of this initiative which was published in 2002 and then subsequently re-endorsed by the Arab League in 2007 stated the importance of abiding by UN Resolution 194 as well as explicitly rejected the notion that the Palestinian refugees be settled in Arab host countries. Reading the actual text of the initiative

helped me realize the importance of the issue of the Palestinian refugees to the Arab conception of any comprehensive peace deal with Israel.

First Zionist Congress. *The Basle Declaration*, August, 1897. Reprinted in Walter Laqueur and Barry Rubin (ed.), *The Israel-Arab Reader: A Documentary History of the Middle East Conflict*. London: Penguin Books, 2008, 9-10.

The declaration from the first Zionist Congress in 1897 clearly lays out the mission of the Zionist Movement as working to establish a Jewish state in Palestine. Reading the actual text helped me understand the objectives of the Zionist Movement and why it was formed. It also helped me understand the extent to which the Zionists were ignoring the existence of the Palestinian people and how that kind of thinking has made it difficult for Israel to acknowledge the rights of the Palestinian refugees.

House of Representatives Committee on Foreign Affairs. *Palestine Refugees: Hearings Before the Committee on Foreign Affairs House of Representatives*. 81st Congress, Second Session on S.J. Res. 153, February 16 and 17, 1950 (Washington DC: US Government Printing Office, 1950).

This is a transcript of two days of hearings before the House of Representatives Committee on Foreign Affairs concerning whether the United States should provide financial support to the newly established UNHCR. In the hearings, a number of State Department officials described in detail what American policy toward the Arab-Israeli conflict was at that time. It was clear that the United States was a strong ally of Israel both from the statements of government officials as well as from the kinds of questions that were asked by the members of Congress. However, it was also clear that at the time the United States supported Resolution 194 and interpreted the Resolution to clearly mean that Israel had an obligation under international law to allow for the repatriation of Palestinian refugees. This source helped me understand U.S. policy toward the refugees in 1950.

Provisional State Council. "State of Israel: Proclamation of Independence," May 14, 1948, Tel Aviv. Reprinted in Walter Laqueur and Barry Rubin (ed.), *The Israel-Arab Reader: A Documentary History of the Middle East Conflict*. London: Penguin Books, 2008, 81-83.

Israel's Declaration of Independence helped me understand the motivations of the early Zionist for working for the establishment of a Jewish nation in Palestine. The Declaration of Independence mentioned the Holocaust and how Israel would be a haven for all Jews where they could be safe from a repeat of such an atrocity.

Red Hill Films. "The Camps: Palestinian Refugees in Lebanon," Alternate Focus, YouTube, October 7, 2006, <https://www.youtube.com/watch?v=-uCKLgheG1w> (accessed January 18, 2014).

This video showed a first-hand account of the conditions of life in Palestinian refugee camps in Lebanon almost 50 years after they were first established. The video helped me understand the level of misery that the Palestinians still lived under as well as some of the specific problems the Palestinian refugees in Lebanon face.

Turki, Fawaz. *The Disinherited: Journal of a Palestinian Exile*. New York: Monthly Review Press, 1972.

This is an autobiographical sketch written by a Palestinian refugee discussing the difficulties he faced growing up as a Palestinian refugee in Lebanon. He talked about the kinds of frustrations Palestinian refugees endured and helped me understand why there ended up being so much conflict between the refugees and the authorities in the countries that hosted them.

United Nations General Assembly. Official Documents, Resolution 194, December 11, 1948, <http://daccess-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/043/65/IMG/NR004365.pdf?OpenElement> (accessed on January 10, 2014).

By reading the actual text of Resolution 194, I came to a better understanding of exactly what the resolution states. Many of the secondary sources I read gave differing interpretations of 194 and it helped to read the actual resolution. Resolution 194 is the major legal text that Palestinians cite when noting that international law is on their side while Israel claims that the resolution does not clearly give all Palestinians the right to return to their homes. Reading the actual text of the resolution helped me to understand how both sides can make their arguments.

United Nations General Assembly. "302 (IV) Assistance to Palestine Refugees." December 8, 1949, <http://unispal.un.org/UNISPAL.NSF/0/AF5F909791DE7FB0852560E500687282> (accessed January 20, 2014).

Reading the actual text of Resolution 302 helped me to understand the dire conditions of the refugees in late 1949, a time when most of them had been refugees for over a year. The resolution mentioned that action was needed because of "conditions of starvation and distress" under which the refugees were suffering. The resolution detailed the role of the UNRWA and thus helped me to understand the legal context in which the organization has been working since its establishment.

UNRWA. United Nations Reliefs and Works Agency, <http://www.unrwa.org/who-we-are> (accessed on January 17, 2014).

The official website of the United Nations Relief and Works Agency provided extensive information about the organization and how it defined its

responsibilities toward the Palestinian refugees. The website explained that a specific UN organization was established for Palestinian refugees as opposed to how the UN has served all other refugees. Reading through the website helped me come to a much better understanding of the conditions under which the refugees live and the scope of the work of the UNRWA.

Images

Asser, Martin. "Obstacles to Arab-Israeli Peace: Palestinian Refugees," BBC News, Sept. 10, 2010. <http://www.bbc.co.uk/news/world-middle-east-11104284> (accessed March 15, 2014).

This article provides a good overview of the refugee issue and how it is a major obstacle to a lasting Arab Israeli peace. It was most useful to me in that it provided a picture of a refugee camp set up after the 1948 war that I used in my appendix.

Associated Press. "Thousands Protest For Palestinian Right of Return," May 16, 2011. <http://topnews360.tmcnet.com/topics/associated-press/articles/2011/05/16/175253-thousands-protest-palestinian-right-return.htm> (accessed March 17, 2014).

This article explained the strong opposition Palestinians in Jordan have to any attempt to compromise away the Palestinian Right of Return. The article was most useful to me in providing a photo of a demonstration in which a Palestinian man displayed the key to the home he left in 1948 to underscore his determination and expectation that he will someday return to Palestine. Most Palestinian refugees have kept the keys to their homes as a symbol of their continued desire and expectation to return to those homes. They often bring the keys out for public displays whenever a Palestinian leader hints that he might compromise on the right of return.

Palestinian Mission to the United Nations. "Palestine Refugees: 60 Years of Injustice," <http://www.un.int/wcm/content/site/palestine/cache/offonce/pid/11587>, (accessed March 18, 2014).

This website provided the official Palestinian stance on all the issues concerning the Palestinian issue. The fact that the leading picture on the section of the website discussing the Palestinian refugees showed a key underscores the symbolism of the key for the Palestinian right to return.

Three Lions/Getty Image. Reprinted in Aljazeera America, "A Visual History of Palestinian Refugees," Sept. 12, 2013. <http://america.aljazeera.com/articles/2013/9/12/a-visual-history-of-palestinian-refugees.html>, (accessed March 15, 2014).

A photo from this site was used in my appendix to show how Palestinian refugees remained dependent on outside aid years after the 1948 war.

Secondary Sources

Abdelrazeq, Adnan. "The Refugee Question: Israeli Violations of UN Resolution 194 (III) and Others Pertaining to Palestinian Refugee Property," *Palestine Israel Journal*, Vol.15-16 #3, 2008, <http://www.pij.org/details.php?id=1220> (accessed January 5, 2014).

This article helped me understand what happened to the houses and property of the Palestinian refugees after they fled Palestine. It enabled me to see how difficult it would be for them to return and be given back what was originally theirs.

Bard, Mitchell G. "Fact Sheet: Jewish Refugees from Arab Countries," January, 2013, http://www.jewishvirtuallibrary.org/jsource/talking/jew_refugees.html (accessed January 22, 2014).

This website provided detailed information about the number of Jewish refugees who fled the Arab world after the establishment of Israel as well as the reasons they left and where they went. It helped me understand the Israeli perspective that since Israel settled hundreds of thousands of Jewish refugees from the Arab world they were no longer responsible for repatriating Palestinian refugees who fled from Israel to various Arab countries.

Boling, Gail. "Palestinian Refugees and the Right of Return: An International Law Analysis. BADIL - Information and Discussion Brief, No. 8, January, 2001, [http://www.internal-displacement.org/8025708F004CE90B/\(httpDocuments\)/63635181C7F4F474C12574AD0040D307/\\$file/Brief-No.8.pdf](http://www.internal-displacement.org/8025708F004CE90B/(httpDocuments)/63635181C7F4F474C12574AD0040D307/$file/Brief-No.8.pdf) (accessed on January 9, 2014.)

This paper helped me to understand the international law aspects of the Palestinian refugee issue.

Brynen, Rex. "Palestinian Refugees: An Overview," Palestinian Refugee Research Net - PRRN, <http://prrn.mcgill.ca/background/index.htm>, (accessed January 20, 2014).

This website provided detailed information on the current (updated to 2010) numbers of Palestinian refugees in various host countries as well as summaries of the current conditions of the refugees in their different places of residence. It provided me with an updated account of the situation of the refugees.

Brynen, Rex and Roula El-Rifai (eds.). *The Palestinian Refugee Problem: The Search for a Resolution*. London: Pluto Press, 2014.

This brand new book was the best secondary source I found. It includes a number of articles that discuss all aspects of the Palestinian refugee problem helping me come to a very good understanding of the issue. The most informative articles

dealt with how the refugee problem could be incorporated into a Middle Eastern peace deal. Most of the authors argued that an agreement that ignored refugee rights would likely lead to long term problems.

Dershowitz, Alan. *The Case for Israel*. Hoboken NJ: Wiley & Sons, 2003.

This book provided a strong defense of Israeli arguments concerning the Palestinian refugee issue and helped me understand the Israeli perspective on the issue.

Facts of Israel.com. <http://www.factsofisrael.com/en/stats.shtml> (accessed March 20, 2014).

This website provided me with a map that detailed the decrease in the number of Jews living in many Arab and Muslim countries between 1948 and 2000. I used the map in my appendix.

IRIN Humanitarian News and Analysis. "Middle East: Palestinian Refugee Numbers / Whereabouts," June 22, 2010, <http://www.irinnews.org/printreport.aspx?reportid=89571> (accessed on January 28, 2014).

This article by a research organization of the United Nations Office for the Coordination of Humanitarian Affairs provided me with detailed data on the number of Palestinian refugees from the fighting between November 1947 and July 1949 and where they and their descendants currently reside. It also offered information about the rights of the refugees in the various places in which they live.

Israel Science and Technology Directory. "Middle-East Refugees." <http://www.science.co.il/Arab-Israeli-conflict/Refugees.asp> (accessed January 28, 2014).

This website provided me with an official Israeli perspective on the Palestinian refugee issue. The site helped me understand Israeli arguments about not being responsible for the repatriation or compensation of Palestinian refugees both because of the manner by which they left and because of the Israeli absorption of many Jewish refugees from the Arab world who left behind a substantial amount of material goods when they fled to Israel.

Khouri, Fred. *The Arab-Israeli Dilemma*. Syracuse: Syracuse University Press, 1985.

This book provided a good overview of the whole Arab-Israeli dilemma. It was especially useful in helping me understand the historical background of the conflict from the time of the Arab conquest of Palestine up through the establishment of the Zionist movement and then Israel.

Lenczowski, George. *American Presidents and the Middle East*. London: Duke University Press, 1992.

This book helped me understand the development of US policy in the Middle East, especially with regard to America's relations with Israel. The book helped me understand how while much changed over the years in America's relations with Israel, one of the things that remained was that America almost always remained Israel's closest friend and ally and how that alliance influenced the American viewpoint on Palestinian rights.

Neff, Donald. *Fallen Pillars: U.S. Policy Towards Palestine and Israel Since 1945*. Washington D.C.: Institute for Palestine Studies, 1995.

This book helped me understand the historical development of American policy toward the Palestinian refugee issue. It was especially useful in understanding American policy in the early years after the establishment of Israel.

Palestinian Academic Society for the Study of International Affairs. http://www.passia.org/palestine_facts/MAPS/Refugees-UNWRA-2001.html (accessed March 17, 2014).

PASSIA made a map showing the location of the Palestinian refugees and the size of the refugee camps in 2003. I used the map in my appendix.

Qumsiyeh, Mazin. "Palestinian Refugees Right to Return and Repatriation," *If Americans Knew*, <http://www.ifamericansknew.org/history/ref-qumsiyeh.html> (accessed January 22, 2014).

This article proved useful in presenting a Palestinian perspective on the refugee issue. The author was critical of those trying to make a peace agreement that ignored the plight of the Palestinian refugees and provided a detailed historical and legal account of why a resolution of the refugee problem had to be a part of any agreement. He also undertook surveys of Palestinian refugees that showed huge percentages opposed any peace agreement that would not involve them being given the right to return to their homes.

Smith, Charles D. *Palestine and the Arab-Israeli Conflict: A History with Documents*. Boston: Bedford/St. Martins, 2004.

This is the fifth edition of Smith's book (see citation below). The fifth edition began with a detailed historical account of the origins and history of Ancient Israel that was not included in the seventh edition. The account helped me understand the context in which the modern conflict is being waged.

Smith, Charles D. *Palestine and the Arab-Israeli Conflict: A History with Documents*. Boston: Bedford/St. Martins, 2010.

In the seventh edition of his book, Smith provided the most detailed account of the Arab-Israeli conflict that I came across. Reading the book helped me understand the larger context in which the issue of refugee rights is an important element.

The book was especially useful in explaining in detail all of the peace proposals that have occurred since 1991 and how the issue of refugee rights has been dealt with by all parties, especially the United States.

Tillman, Seth. *The United States in the Middle East: Interests and Obstacles*. Bloomington: Indiana University Press, 1982.

This book helped me understand American policy toward the Palestinian-Israeli issue. It especially helped me understand why the United States has been a strong supporter of Israel and has not always supported the application of UN resolutions when they conflicted with Israeli interests, especially on issues like the repatriation of Palestinian refugees.

Traboulsi, Fawwaz. *A History of Modern Lebanon*. London: Pluto Press, 2007.

This book helped me understand the role the Palestinian refugees living in Lebanon played in the political issues in Lebanon, especially the role they played in the civil war that began in 1975.

Waltz, Kenneth N. *Man, the State, and War: A Theoretical Analysis*. New York: Columbia University Press, 1959.

This book helped me understand the theories of international relations, especially the concept of anarchy in the international system and what states must do to lessen the impact of that anarchy by having some rules and structures that everyone abides by. This theory helped me understand the significance of following U.N. Resolutions in maintaining peace and order in the world.