



FREQUENTLY ASKED QUESTIONS ON PALESTINIAN REFUGEES

FAQ #1 PALESTINIAN REFUGEES

Who are Palestinian refugees?

Palestinian refugees are Palestinians who were displaced from their homes since 1947, leading up to the catastrophic ethnic cleansing of 1948, and systematically thereafter numerous times.

In 1948, with the establishment of the state of Israel, an estimated 700,000 - 800,000 Palestinians (some 80% of the Palestinian population) were expelled from their homes and lands and 531 Palestinian towns and villages were destroyed. In 1967, after Israel occupied the Gaza Strip and the West Bank, approximately 350,000 Palestinians were made refugees, many for the second time.

How many refugees are there today?

Today, there are more than 5 million Palestinian refugees - more than 3.8 million are registered with and receive services from the United Nations Relief and Works Agency (UNRWA). Due to the magnitude of the Palestinian refugee crisis, UNRWA was set up as a special agency of the UN in 1950 to provide relief services for the refugees scattered in camps throughout the region.

Refugees make up about 70% of the entire Palestinian population. Palestinians are the largest refugee population in the world. According to the U.S. Committee on Refugees, one in four refugees worldwide is Palestinian. Palestinian refugees are scattered around the globe and live in varying conditions. More than one million of these refugees live in the 59 refugee camps located in the Gaza Strip, West Bank, Lebanon, Syria and Jordan. (see FAQ# 2)

What about Palestinian citizens of present-day Israel?

The 1948 war resulted in the creation of the state of Israel in 77% of British Mandatory Palestine, despite that the UN Partition plan granted only 55% of the land for the Jewish State. Approximately 100,000 Palestinians remained in the territory that became the state of Israel and were subsequently issued Israeli citizenship. Some 40,000 of these 100,000 Palestinians were internally displaced from their land and homes and the vast majority were prevented from returning even though they became Israeli citizens.

Have any of the Palestinian refugees been able to return to their original homes?

Following the 1948 war, apart from a small number who have returned under family reunification arrangements, the refugees have been unable to exercise their right to return. The state of Israel has consistently rejected the Palestinian right of return, except for a conditional offer to accept 100,000 refugees in the early 1950's but which was later withdrawn.

Al-Awda San Diego, The Palestine Right to Return Coalition

FAQ #2 PALESTINIAN REFUGEES

Where are the refugees now?

Palestinians are scattered all around the world. The refugee population of more than 5 million is concentrated mainly within the area of British Mandatory Palestine and in neighboring Arab states. More than 80% of refugees continue to live within 100 km of their villages and towns of origin. About one million of these refugees live in refugee camps.

Palestinian refugees are accepted as temporary residents under varying legal status and special conditions - until they return to their homes based on the provisions of UN Resolutions and international law. Even in countries where Palestinian refugees enjoy full civil rights (i.e. Jordan), they are perceived as a potentially destabilizing factor in national politics and thus kept under special scrutiny of state intelligence.

Jordan

Over 1.7 million Palestinian refugees live in Jordan. About 14% inhabit the 10 camps around the country. Jordan is the only state to have given citizenship to Palestinian refugees, though there remain hundreds of thousands of 1967 refugees from Gaza who do not possess Jordanian passports.

Syria

Syria's Palestinian refugee population amounts to over 400,000. About 21% of these live in the 10 refugee camps in the country. Palestinians in Syria hold special travel documents, but are otherwise integrated into the Syrian economy.

Lebanon

Lebanon has over 400,000 refugees, with 50% in 12 refugee camps. These Palestinians face some of the worst living conditions of all Palestinian refugees. They are denied employment in over 70 job categories and face uncertain residency in the country.

Gaza Strip and West Bank

Over 40% of the more than 1.4 million refugees in the West Bank and Gaza inhabit the 27 refugee camps in the area. The Gaza Strip has the highest concentration:

70% of the population of Gaza is refugees. All Palestinians in the West Bank and Gaza are required to carry Israeli-issued identity cards at all times.

Refugees face especially hard economic and social conditions due to continued Israeli control.

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FAQ #3 PALESTINIAN REFUGEES

What rights are Palestinian refugees entitled to?

According to international law, Palestinian and other refugees are entitled to full restitution, which includes:

1. Right to return;
2. Right of return of properties; and
3. Right to compensation for material and non-material losses.

These rights are guaranteed in the following legal instruments:

- United Nations General Assembly Resolution 194 (December 1948):

Paragraph 1: "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 the loss or damage to property..." This resolution has been reaffirmed more than one hundred and ten times by the UN.

- Universal Declaration of Human Rights (1948)

Article 13: "(1) Everyone has the right to freedom of movement and residence within the borders of each state. (2) Everyone has the right to leave any country, including his own, and to return to his country."

- The Fourth UN Geneva Conventions (1949):

Article 49 prohibits "individual or mass forcible transfers ... regardless of their motive" and calls for evacuated persons to be "transferred back to their homes as soon as hostilities in the area in question have ceased."

- UN General Assembly Resolution 3236 (1974)

Subsection 2 upholds "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."

- UN General Assembly Resolution 52/62 (1997)

"1. Reaffirms that the Palestine Arab refugees are entitled to their property and to the income derived there from, in conformity with the principles of justice and equity."

Have Palestinian refugees received any restitution?

No. Palestinian people were displaced and dispossessed by an exclusive Jewish state established in Palestine. Palestinians are still being denied any kind of restitution. In contrast, more than fifty years after World War II, Jews around the world continue to fight for and receive restitution for material and non-material losses inflicted by the Nazi regime throughout Europe.

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FAQ #4 PALESTINIAN REFUGEES

Did the Oslo process and subsequent agreements address the implementation of Palestinian refugee rights?

The signing of the Declaration of Principles (DOP), which marked the official beginning of the Oslo Process between the PLO and Israel in 1993, paved the way for renewed attention to the long-neglected issue of Palestinian refugees. However, the exclusion of UN Resolution 194, guaranteeing Palestinian right of return, from the Oslo framework led to a deep sense of alienation and marginalization among Palestinian refugees. Furthermore, a resolution to the refugee crisis, as well as the critical issues of borders, Jerusalem, settlements and water, were left to "Final Status" negotiations. A Final Status Agreement was supposed to be concluded by September 1999. This has not happened.

The UN agency responsible for the protection of refugees worldwide (UNHCR) noted in its 1998 report that since 1987, almost every major peace agreement concluded around the world has included provisions related to the return of displaced persons. Oslo and subsequent accords distinguish themselves as the only major peace accords that do not include any provisions for the return of refugees to their homes of origin. Among Israeli governments' famous list of "no's" was no return of Palestinian refugees, in direct contravention to international law, especially Resolution 194 calling for immediate return of the Palestinian refugees.

Israel has taken advantage of interim negotiations during Oslo and subsequent agreements to create "facts on the ground" that seek to preclude a return of refugees to their homes - even within the West Bank and Gaza. For example, under Oslo, Israel retains 60% of the West Bank for its own exclusive use. The number of Jewish settlements and settlers continues to expand under Oslo, with close to 200 settlements and over 380,000 Jewish settlers in the West Bank alone.

But the inalienable rights of refugees cannot be left to "negotiations". International law considers agreements between an occupier and any body in occupied areas to be null and void if they deprive civilians of recognized human rights including the rights to repatriation and restitution. No peace will be durable without solving the refugee situation according to international law.

At the 1999 Camp David summit between President Arafat and PM Barak, Israel reportedly proposed to make a "substantial contribution" to an international fund that will oversee compensation but will only allow return of a limited number of refugees under the title of "family reunification." This option violates international law and is totally unacceptable to the Palestinian refugee population and all supporters of a just peace.

The Palestinian right of return is not invalidated by a PLO/PA declaration of a Palestinian state in part or all of the West Bank and Gaza Strip. UN Resolution 194 provides for the refugees' right of return to their homes, most of which are located in the current territory of the state of Israel. In this context, Palestinian immigration to the West Bank and Gaza areas must not be confused with the Palestinian refugees' Right to Return.