

At the beginning of **Jan. 2001**, the Palestinian negotiating team rejected the so-called **US bridging proposal (or Clinton parameters)**, which was a last attempt by the outgoing Clinton administration to secure a peace deal. On the refugee issue, recognition of the right of return was proposed while stressing that there is no such specific right with regard to today's Israel, but rather to the Palestinian state, or rehabilitation in Arab states, or resettlement in third countries. All refugees were to receive compensation from the international community for their losses and assistance in building their new lives. The Palestinians refused, saying the proposal "fails to provide any assurance that refugee's rights to restitution and compensation will be fulfilled" and neither secures "the establishment of a viable Palestinian state nor the right of Palestinian refugees to return to their homes."



In late **Jan. 2001**, Israeli and Palestinian negotiators met once more at **Taba**, Sinai, trying to draft a final status agreement before the upcoming Israeli elections in Feb.; the talks discussed the practicalities of resolving the refugee problem but collapsed after one week without agreement. The Palestinian side reiterated Israel's responsibility for the refugee problem and the refugees' right of return to their homes in accordance with UN Res. 194 as well as a free choice regarding the options put before them. The Israeli side expressed its understanding that the wish to return shall be implemented within the framework of return and repatriation (to either Israel or the Palestinian state) or rehabilitation and relocation (in host or third countries).

The **People's Voice Initiative (Nusseibeh-Ayalon Principles)** – launched in Sept. 2002 - is a campaign to collect signatures in support of a set of general principles, rather than a detailed plan. Sari Nusseibeh was roundly condemned by refugee groups for conceding the right of return, as the document states that "Palestinian refugees will return only to the state of Palestine." The document was one of the first to openly abrogate the right of return and to accept the Israeli view that a two-state solution would be undermined by a mass return of refugees to the Jewish state.

The US-sponsored '**road map**' – officially launched in **April 2003** - is a multi-stage plan for achieving peace between Israelis and Palestinians. On refugees it says very little, calling for an "agreed, just, fair, and realistic solution to the refugee issue," which should be solved as part of final status negotiations. As the refugees expert Rex Brynen points out, the inclusion of the word "realistic" suggests that as in the past, there will be no acceptance of the "right of return" in its fullest sense, and indeed the Israeli government lobbied (unsuccessfully) to have all mention of the refugees removed from the road map.

The **Geneva Accord** was negotiated between independent Palestinians and Israelis and launched at a ceremony in Geneva in **Dec. 2003**. It offers a detailed solution to the conflict based on the idea of two states for two people. The proposed solution to the refugee issue is largely in line with that offered as part of the Dec. 2000 Clinton Parameters, presenting the following five options to refugees: return to the Palestinian state, return to land included in the "land swap" with Israel, integration into present host countries, admission into a third country (e.g. US, Germany) or return to Israel. With regards to the latter, it is up to Israel to decide how many refugees it will accept. Relinquishing the right of return for the refugees was one of the major concessions on the part of the Palestinian negotiators in the Geneva Accord. There is disagreement over the degree to which the Accord would oblige Israel to accept Palestinian refugees. The relevant text of the Accord is Article 7, section 4.c:

Option iv [*Israel as a permanent place of residence*] shall be at the sovereign discretion of Israel and will be in accordance with a number that Israel will submit to the International Commission. This number shall represent the total number of Palestinian refugees that Israel shall accept. As a basis, Israel will consider the average of the total numbers submitted by the different third countries to the International Commission.

POSITIONS

Before looking at the official positions, it should be noted that the Palestinian refugees themselves believe that their inalienable *rights* per se cannot be negotiated between Israel and the PA. With reference to International Law they stress that agreements, which deprive civilians of recognized human rights, including the right to repatriation and restitution, are null and void. The concept and vision of "returning home" is still at the very core of the Palestinian national identity and is one of the reasons why criticism of the Oslo Accords has been very much related to the abandonment of the refugee question. To date, no serious progress has been made in the negotiations on the rights and the future of the refugees and it has become amply clear that there can be no peace in the region without an accepted solution to the refugee question.

