

PALESTINIAN-ISRAELI NEGOTIATIONS & THE ISSUES AT STAKE

The **2003 US-sponsored Road Map** only calls for an “agreed, just, fair, and realistic solution to the refugee issue,” which should be solved as part of final status negotiations. As Professor Rex Brynen, an expert in refugee issues from McGill University (Montreal), pointed out, the inclusion of the word ‘realistic’ implies that there will be no acceptance of the right of return in its fullest sense.

The solution offered by the **2003 Geneva Accord** to the refugee issue was largely in line with the Clinton Parameters. Relinquishing the right of return for refugees was one of the major Palestinian concessions in the Geneva Accord. There was disagreement over the degree to which the Accord would oblige Israel to accept Palestinian refugees.

Today, the total Palestinian refugee population is the largest in the world, estimated at over 7.1 million (67% of the worldwide Palestinian population). These include 4.7 million persons registered with UNRWA and over one million not registered (either they simply did not register or did not need assistance at the time they became refugees in 1948), 335,000 internally displaced persons in Israel (from 1948), some 940,000 1967 displaced persons, and 129,000 persons displaced within the OPT during and after the 1967 War (Badil, *Survey of Palestinian Refugees and IDPs 2008*). Around half of the Palestinian refugees are stateless. For Palestinians, recognition of the rights of refugees is the crucial basis for negotiations on this issue.

Unlike his predecessor Ehud Olmert in talks with President Abbas in 2008, Israeli Prime Minister Netanyahu has not indicated whether a limited number of Palestinian refugees would be accepted into Israel proper as a “humanitarian gesture”. At a speech at Bar-Ilan University in June 2009, Netanyahu stated that he would accept a Palestinian state if the Palestinians would give up their demand to the right of return. In recent years, the idea of compensating the refugees while allowing only a symbolic number to return has been discussed internationally, but it is unlikely that the Palestinian people would accept this.



POSITIONS

Palestinians	Israel
<ul style="list-style-type: none"> Israel must acknowledge responsibility for the creation and perpetuation of the refugee problem. Israel must recognize that Palestinian refugees and their descendants have the right to return to their homes in principle. The issue must be resolved in a just manner, in accordance with UN General Assembly Resolution 194 (1948). (Palestinian refugees must be given the option to exercise their right of return, though they may favor resettlement in a Palestinian state or in third countries, or normalization of their legal status in the host country). Refugees shall be granted restitution and compensation for the material and non-material damages they have suffered (including loss of properties, livelihood, and opportunities and human suffering due to protracted displacement). States that have hosted Palestinian refugees shall be entitled to remuneration. The international community must be represented in the mechanism to guarantee the efficiency and durability of the implementation process. 	<ul style="list-style-type: none"> Any final accord would require the Palestinians to recognize Israel as the state of the Jewish people, thus implicitly denying the right of return to Palestinian refugees. Resolution 194 is non-binding and does not mention a "right" anywhere. Argues that the "live at peace" condition has not been met and it referred only to 1948 refugees, not to their descendants. Refuses to recognize its responsibility with respect to the refugee issue. Returning Palestinian refugees must be absorbed in a future Palestinian state as their return to Israel proper would threaten the state's Jewish identity (and Israel has also managed to absorb millions of Jewish immigrants over the years). Other refugees should be rehabilitated by international aid and resettled in neighboring countries. Agrees to an international implementation mechanism.