The Palestinian Arab “Right of Return”

Much of the world falsely claims that Palestinian Arabs have “the right of return”--the right to move into Israel proper. However, this claim is void because Israel was not the perpetrator of the refugee crisis, and has no legal obligation to take in any refugees. Furthermore, other Arab countries perpetuate this issue by discriminating against Palestinian Arab refugees in order to use them as a political ploy against Israel.

Israel did not create the refugee issue--the Arab states did.

- In 1947, the United Nations General Assembly passed Resolution 181, which partitioned the British mandated Palestine into a Jewish and Arab state.\(^1\)
  - While the Jews peacefully accepted this plan, the surrounding Arab states waged a full out war on Israel, calling for the destruction of the Jewish state.\(^2\)
    - Had the Arabs recognized this resolution, there would be no Palestinian Arab refugees, and there would be a Palestinian state.\(^3\)
  - In 1948, Emil Ghoury, the Secretary of the Arab Higher Committee, stated that the Palestinian Arab “refugees [are] the direct consequence of Arab states in opposing partition and the Jewish state.”\(^4\)

- Palestinian Arab leaders, as well as other leaders of the Arab world, encouraged, bribed, and forced their own people to leave their homes.\(^5\)
  - The Arab Higher Committee ordered tens of thousands of Palestinians to leave their homes in Haifa.\(^6\)
  - Haled al Azm, the Syrian Prime Minister in 1948/49, wrote in his memoir; “since 1948 we have been demanding the return of [Palestinian Arab] refugees to their homes. But we ourselves are the ones who encouraged them to leave.”\(^7\)

- On the other hand, Jewish leaders encouraged Palestinian Arabs to remain in their homes, and even offered them equal citizenship under Israeli law.\(^8\)
  - In 1948, a British police report from Haifa stated that “every effort is being made by the Jews to persuade the Arab populace to stay and carry on with their normal lives.”\(^9\)

The Right of Return has no binding legal requirements that Israel needs to follow.

- UN Resolution 194 states that “refugees wishing to return to their homes and live at peace...should be permitted to do so.”\(^10\)
  - UN General Assembly resolutions are not binding by law, but merely suggestions--Israel has no legal obligation to take in Palestinian Arab refugees.
  - This resolution does not mention anything about Palestinian Arab refugees. It could refer to any refugees throughout the world.

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2 Ibid.
3 Ibid.
4 Center for Online Judaic Studies. September 6, 1948 Palestinian Refugees.
6 Ibid.
8 Ibid.
9 Ibid.
10 Ibid.
• Refugee law, international criminal law, and humanitarian law do not demand that Israel takes back Palestinian Arab refugees.\textsuperscript{11}
• Although the Jewish state is under no legal obligations to aid Palestinian Arab refugees, \textbf{Israel still made an effort to help}:
  o Israel offered to allow separated families to be reunited in Israel.\textsuperscript{12}
  o Israel offered to pay compensation to Palestinian Arabs.\textsuperscript{13}
  o Israel offered to take in 100,000 Palestinian Arab refugees.\textsuperscript{14}
  o \textbf{All of these peace offerings were rejected by the Arabs.}\textsuperscript{15}

\textbf{Arab nations use Palestinian Arab “refugees” as a political ploy in order to gain world sympathy and paint Israel in a poor light.}  
• Under the Arab League Decree 1547, Palestinians are not allowed to become citizens in any Arab countries except Jordan, “in order to preserve the Palestinian entity and Palestinian identity.”\textsuperscript{16}
  o In 1994, Libya expelled 30,000 Palestinian Arabs.\textsuperscript{17}
  o Kuwait forced 400,000 Palestinians to leave in 1991.\textsuperscript{18}
• While Arab countries close their doors to refugees, Israel accepts and assimilates refugees from across the Arab world.
  o Israel took in 586,000 of around 850,000 Jewish refugees who were forced by Arab countries to leave their homes.\textsuperscript{19}
• The UN Relief and Works Agency for Palestine Refugees (UNRWA) still counts descendants of Palestinian-Arab refugees from the 1948 war as “refugees,” contrary to the practices of the United Nations High Commissioner for Refugees (UNHCR) and the international community’s definition of “refugee.”\textsuperscript{20}
  o There were approximately 750,000 original Palestinian Arab refugees in 1947. With UNRWA’s special ruling, though, Palestinian-Arab leaders claim that 5 million Palestinian-Arab refugees exist today.\textsuperscript{21} This exaggerated number of refugees is \textbf{over 7 times the amount of original Palestinian Arab refugees.}
  o According to the US Senate, \textbf{roughly 99.5 percent of these ‘refugees’ are not actual refugees,} but the descendants of them.\textsuperscript{22}
  o Less than $\frac{1}{2}$ of the ‘refugees’ are living in refugee camps.\textsuperscript{23}

\footnotesize
\begin{itemize}
  \item \textsuperscript{11} The Jerusalem Post. Gavison, Zilbershats, Gore. \textit{There’s No Right of Return}. July 5, 2011.
  \item \textsuperscript{12} Jewish Virtual Library. Mitchell Bard. \textit{The Palestinian Refugees: History & Overview}. August 2015.
  \item \textsuperscript{13} Ibid.
  \item \textsuperscript{14} Ibid.
  \item \textsuperscript{15} Ibid.
  \item \textsuperscript{16} Elder of Ziyon. \textit{Arab Discrimination and Abuse Against Palestinians Since 1948}.
  \item \textsuperscript{17} Ibid.
  \item \textsuperscript{18} Ibid.
  \item \textsuperscript{19} Jewish Virtual Library. \textit{Fact Sheet: Jewish Refugees from Arab Countries}. December 2015.
  \item \textsuperscript{20} United Nations Relief and Works Agency for Palestinian Refugees in the Near East, Palestinian Refugees
  \item \textsuperscript{21} Times of Israel. \textit{US Senate dramatically scales down definition of Palestinian ‘refugees.’} May 25, 2012.
  \item \textsuperscript{22} Times of Israel. \textit{US Senate dramatically scales down definition of Palestinian ‘refugees.’} May 25, 2012.
  \item \textsuperscript{23} United Nations Relief and Works Agency for Palestinian Refugees in the Near East, Palestinian Refugees
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