

Future of the Palestinian Refugees under the Current Political Settlement

The Third International Conference of the Human Rights Movement in the Arab World

The Rabat Declaration on the Rights of Palestinian Refugees

The Cairo Institute for Human Rights Studies (CIHRS), in cooperation with the Moroccan Organisation for Human Rights and the Euro-Mediterranean Human Rights Network (EMHRN), with the participation of experts and representatives of Arab and international human rights organisations, and with generous facilitations from the Moroccan government, organised the Conference on the Future of the Palestinian Refugees under the Current Political Settlement/the Third International Conference of the Human Rights Movement in the Arab World from the 10th to the 12th of February, 2001, in Rabat, Morocco.

The participants,

Having reviewed the relevant international human rights declarations, conventions and covenants and the Casablanca Declaration issued by the First International Conference of the Human Rights Movement in the Arab World,

Having reviewed the papers presented to the Conference,

Having examined the tragic and inhuman conditions of the Palestinian refugees and displaced persons in the homeland and the Diaspora for more than fifty-two years,

Having considered Israel's intransigence and refusal to comply with the resolutions of international legality on the refugees' right to return and compensation, and the Israeli continuous practices of banishment, displacement and human rights violation,

Having considered the attempt by some international parties to circumvent the resolutions of international legality by suggesting permanent settlement in the host countries and compensation as an alternative to compelling Israel to comply with the will of the international community,

Decide to adopt the following declaration.

The Conference affirms that:

First: Israel bears full responsibility for creating the Palestinian refugees issue, through systematic expulsion, whether direct or indirect, massacres, killings, terror and intimidation. These acts are corroborated by Israeli documents as well as testimonies by some Israeli

officials and historians. Israel bears the responsibility in full also because of its persistent rejection of the return of the Palestinian refugees.

Second: According to the UN General Assembly Resolution 194, the Palestinian refugees' right of return to their homes and property is a personal right for every individual and a collective right for the refugees as a whole. No one is to be authorised to conclude any agreement that denies refugees, individually or collectively, their right of return.

Furthermore, the establishment of the Palestinian state, or a refugee's acquiring of another nationality, does not deny refugees the right to return to their own towns and villages.

Third: Compensation for property usurped and for the grave psychological, economic and social suffering of Palestinians for more than fifty-two years is not an alternative to the enforcement of the right of return. Indeed, as the UN General Assembly Resolution 194 of 1948 sets out, compensation should be paid in addition to return.

Fourth: Any political settlement that does not ensure the rights of the Palestinian refugees will not lead to a lasting, comprehensive peace in the region. The Conference reaffirms that the international community bears the main responsibility for enforcing resolutions adopted by its institutions concerning the Palestinian people's enjoyment of their right to self-determination, the return of the Palestinian refugees to their homes, and providing them with international protection until their return.

Fifth: Pending the implementation of the Palestinian refugees' right of return, they must enjoy their human rights to the full, namely their civil, social, economic and cultural rights, in the (temporary) Arab host countries. The Conference further reaffirms that safeguarding these rights is not the same as permanent settlement in host countries, which is rejected by Palestinians and Arabs in general. Nor does it mean relinquishing the right of return. Rather, it helps support the refugees' resistance to attempts to eliminate this right.

Sixth: Arab host countries are responsible for enforcing the relevant Arab League resolutions, conventions and recommendations. The Conference calls for putting an end to the gross infringements of the international and regional resolutions on the rights of Palestinian refugees in a number of Arab host countries. It is incumbent upon international and Arab human rights organisations to dedicate more attention to such condition.

Seventh: The Conference urges international and regional development agencies and donor states to provide the necessary financial support to:

1. The Arab host countries, in order to realize all of the economic and social rights of the Palestinian refugees.
2. Civil society institutions in the Palestinian communities, so as to be able to carry out their role in improving their conditions.

3. The Palestinian National Authority, so as to enable it to accommodate the Palestinians displaced in the wake of the Israeli occupation of the West Bank, including Jerusalem, and the Gaza Strip after the June 1967 war.
4. The UNRWA, in support of its role concerning the Palestinian refugees.

Eighth: The Conference reaffirms the right of the Palestinians displaced within Israel to return to their original towns and villages, to reclaim their property, and to be compensated for their injuries. Institutions working towards the implementation of these rights should receive support.

Ninth: Israel's continued rejection of the implementation of UN General Assembly Resolution 194 of 1948, which was one of the conditions for its accession to the UN according to General Assembly Resolution 273 of May 11th, 1949, leads in effect to annulling the decision to accept its membership. This makes it obligatory that the United Nations expel Israel and impose sanctions on it until it complies in full with UN resolutions.

Accordingly, the Conference calls upon the League of Arab States to start forthwith taking the practical measures necessary for implementing this recommendation.

Tenth: The forced displacement of millions of Palestinians because of the acts of ethnic cleansing perpetrated by Israel, which included slaughters and acts of brutal terrorism, are crimes against humanity to which statutory limitations do not apply. The relevant civil society institutions as well as international and Arab human rights organisations should perform their duty to work for bringing perpetrators of such crimes to international justice, including working for the establishment of an ad hoc criminal tribunal.

Eleventh: The Conference reaffirms its profound appreciation of the international organisations and networks that took a principled stand in supporting the Palestinian refugees' right of return, and urges them to further their efforts in this regard. The Conference also calls upon the international and Arab human rights organisations to coordinate their efforts in this regard with the networks organising the international campaign for the implementation of the Palestinian refugees' rights to return and compensation.