
Israeli Perspectives on the Palestinian Refugee Issue

5–6 March 2014

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Introduction

This is a summary of discussions that took place during a one-and-a-half day workshop on Israeli Perspectives on the Refugee Issue, held on 5 and 6 March 2014 in Cyprus. The participants were Israeli and international experts on the Middle East Peace Process and the Palestinian refugee issue, acting in a personal capacity.

This workshop was intended to evaluate the status of the debate within Israel about Palestinian refugees, and various opinions were raised. Discussions focused not only on the opinions of the participants but also on their expertise of majority opinions and moods within Israel, which are summarized here.

The workshop took place at a time when the gap between Israelis and Palestinians on the refugee issue seems wider than ever, due in part to an apparent hardening of views within Israel over the past decade. Since the failure of the 2000–01 rounds of talks and the Second Intifada in 2000–05, Israeli concern have been particularly high over the demographic implications of any Palestinian refugee return. Additional issues implications for the Palestinian refugee issue have gained salience in the past decade, notably recognition of Israel as a Jewish state and the forced displacement of Jewish people from Arab countries after 1948. Finally, both Israelis and international experts have expressed concern about the degree of policy expertise within Israel on the issue, and have noted the possible implications of this expertise gap for negotiations.

The workshop formed part of Chatham House's on-going work on the regional dimensions of the Palestinian refugee issue, known as the 'Minster Lovell Process'¹, which aims at an informal and comprehensive discussion of the Palestinian refugee issue, including the role of host countries and international actors. The workshop was hosted by the Chatham House Middle East and North Africa Programme and was kindly funded by a grant from the UK Conflict Pool. The other workshops in the current series have addressed compensation and implementation mechanisms² and the normative dimensions³ of the refugee issue.

Key findings

- Israeli official knowledge on the Palestinian refugee issue lags behind the state of research and policy work, particularly on the technical dimensions of implementing the refugee component of an Israeli-Palestinian agreement.
- Israeli public interest in the refugee issue also remains low. The issue is considered highly sensitive and any compromise on refugees and on right of return is closely linked in public discourse to the perceived threat of the destruction of Israel.
- There is scope for expanded engagement with the Israeli public, experts, and opinion leaders on the issue. Polling and practical experience suggest that there might be opportunities to encourage a more nuanced approach to the topic within Israel in ways that would enhance the prospects for any eventual agreement.

¹ For further information on the Minster Lovell Process, please visit <http://www.chathamhouse.org/research/middle-east/current-projects/minster-lovell-process>.

² 'The Palestinian Refugee Issue: Compensation and Implementation Mechanisms', Meeting Summary, Chatham House, December 2013, <http://www.chathamhouse.org/publications/papers/view/197525>.

³ 'The Palestinian Refugee Issue: Normative Dimensions', Meeting Summary, Chatham House, February 2014, <http://www.chathamhouse.org/publications/papers/view/197770>.

The meeting was held under the Chatham House Rule and the views expressed are those of the participants. This document is intended to serve as an aide-mémoire to those who took part and to provide a general summary of discussions for those who did not.

The Chatham House Rule

‘When a meeting, or part thereof, is held under the Chatham House Rule, participants are free to use the information received, but neither the identity nor the affiliation of the speaker(s), nor that of any other participant, may be revealed.’

Defining the Palestinian refugee issue

The mainstream Israeli opinion on the refugee issue is based in the narrative that Israel was attacked by Arab armies in 1948. The displacement of refugees is thus seen as consequence of that war, Arab aggression, and Arab defeat. In this view Israel has little or no responsibility for the creation of the refugee problem and that the refugee issue is not an Israeli interest or concern. Any return of Palestinian refugees to Israel, even in limited numbers, is seen as a demographic threat to Israel’s central *raison d’être*, the Jewish character of the state. Israelis do not accept that there exists any Palestinian refugee ‘right of return,’ and view any recognition of such a right as opening the door to a future refugee influx, the erosion of the Jewish character of the state, and the de facto establishment of a binational state.

All of the Israeli participants noted that public discussion about the refugee issue remained very limited. The issue remains highly sensitive, even at universities and among ‘peace camp’ NGOs and left-leaning political parties. There is also a widespread view that if peace is to be achieved through the establishment of a Palestinian state alongside Israel, it is in this Palestinian state that a solution to the refugee issue should be found, through the absorption of repatriating refugees and the full integration of refugees already residing there.

The UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) currently counts all descendants of Palestinians in its areas of operations as refugees for service-eligibility purposes, regardless of their citizenship status. A significant portion of Israelis argues that only individuals who actually left in 1948, and not their descendants, should be considered refugees. Some workshop participants expressed fears that refugee status was and could be abused by Palestinians to advance political claims and to gain from any refugee-related benefits associated with a future peace agreement. Others noted that Palestinians are not the only protracted, multi-generational refugee population, and that UN High Commissioner for Refugees (UNHCR) transfers refugee status to descendants if they do not otherwise have citizenship. Many Palestinians whose parents or grandparents left in 1948 and who have citizenship in countries such as Canada or the United States still consider that being a refugee is a core aspect of their identity. Most Israelis do not accept this, arguing that in all other cases when someone has citizenship, s/he stops being a refugee.

Participants took note of polling data and other research which provide insight into current Israeli perspectives on the refugee issue. Research shows that many Israelis acknowledge Israel had some role in the refugee issue, even if they do not accept sole or primary blame. Academic discourse on the issue has also changed on the subject in the past 20 years, to reflect a somewhat greater degree of Israeli culpability.⁴ It was also noted that although polling data is useful, it cannot be taken as a wholly reliable of

⁴ For polling data and research on this topic, see, for example: Nets-Zehngut, Rafael and Daniel Bar-Tal (2009), ‘Study Surprisingly Finds 47% of Israeli-Jews Believe that the 1948 Palestinian Refugees were Expelled by Israel’, 6 April, <http://www.collective-memory.info/publications/the-israeli-jewish-collective-memory-of-the-israeli-arabpalestinian-conflict>; Goldberg-Anavi, Dafna

whether or not most Israelis would accept a deal on refugees. Instead public opinion on the refugee issue will be influenced both by political leaders and by 'the package' of what else is included in a comprehensive agreement.

Israeli perspectives on refugee return

The question of the Palestinian refugees' 'right of return' was the foremost aspect of the refugee issue in the view of most Israeli participants. Positions on the question depended on whether 'return' was defined to mean return to Israel versus repatriation to a Palestinian state. Almost all participants accepted that Palestinian refugees have the right to repatriate to a Palestinian state, although some expressed concerns at the possible economic, political, and security implications of this. Some suggested that during the first few years of implementing an agreement Israel would maintain at least oversight of refugee repatriation to a Palestinian state. However, others disagreed, saying that not only would this would be unacceptable to the Palestinians, and undermine the legitimacy of the new Palestinian state.

It was suggested that the land areas that would be swapped from Israel to Palestine in a peace agreement should be used to absorb refugees, while others maintained that the manner in which refugees are absorbed should be the sovereign decision of the Palestinian state.

Most Israeli participants argued that at least some refugees could be allowed to return to Israel, even if only a symbolic number. Others, however, opposed any return to Israel at all, arguing that it violated the logic of a two-state solution to the conflict. Most felt that Israel, and not any other party, should have the sovereign right to decide who returns to Israel if any return was to be permitted.

A number of participants called for a paradigm shift in thinking about the refugee issue. While some felt that Palestinians must change their expectations and accept that Israel will never acknowledge right of return, others felt that the Israeli public must abandon their belief that right of return is equivalent to the destruction of Israel.

It was suggested that in order to 'sell' a compromise on the refugee issue to the Israeli public, it would have to be presented as a Palestinian concession. The Israeli public could accept return based on family reunification and a very firm set of criteria on who is eligible for return, such as one family member to accompany each returning elderly refugee. Israel has accepted return based on family reunification in previous negotiations, one participant noted. It was stressed that core Israeli needs are firm limits on the maximum number of refugees to be allowed to return and an end to claims. It was also suggested that Israeli support for a solution of the refugee issue would increase if the package were to include resettlement in third-party countries such as Europe, Canada or the United States.

Implementing an agreement

Residency

Participants discussed residency options for refugees who would receive Palestinian citizenship but might choose to remain residents of host countries. It was suggested that residency options should remain flexible, and that permission to study or work in Israel could be given to refugees who either repatriate in a Palestinian state or reside in host countries. It would be in Israel's interest to have close economic cooperation with a new Palestinian state, some argued; otherwise the Palestinian state would face a

(2010), *Mimtsahie Seker Legabey Haplitim [Survey Findings about the Refugees]* (Tel Aviv: The Geneva Initiative); and Nets-Zehngut, Rafael (2012), 'The Israeli Memory of the Palestinian Refugee Problem', *Peace Review*, Vol. 24, No. 2, pp. 187-194.

heightened risk of economic crisis and collapse. Israel would also benefit from access to Palestinian labour, as it had done in the past.

However, another participant warned on the other hand that if low income, newly repatriated refugees are allowed to live and work in Israel, this could pose a serious security risk, as well as threatening possible 'return' through illegal migration, marriage, and over-staying. It was also suggested that there is now a heightened security risk around the repatriation of Palestinian refugees from Syria due to the jihadist influence on the Syrian conflict.

UNRWA

UNRWA, which might play a role in implementing an agreement on refugees, has a problematic reputation in Israel. While it is seen as useful provider of services in the Palestinian territories, it is also seen by many as artificially prolonging the refugee problem, and is not considered a credible source of information. However, most participants suggested that Israel might accept a role for UNRWA in implementing a solution to the refugee issue because no other organization has its implementing capacity, facilities, expertise and credibility with refugees. Since would be unwise to 'start from scratch' by using a different agency, it was suggested that when an agreement is reached that UNRWA could have its name and mandate formally revised.

Compensation

While all past Israeli-Palestinian peace talks have included some element of refugee compensation, the issue remains controversial in many respects. One asserted that Israel itself is owed compensation for harm done by Palestinian terrorism and for Israeli government property destroyed at the behest of the international community during the disengagement from Gaza. (In response to this, it was argued that during years of occupation Palestinians have also suffered above and beyond the harm done to refugees.) They suggested that Israeli public would protest if money is given to Palestinian refugees because it is felt that not enough reparations have been made to Holocaust survivors. It was noted that there would be strong internal Israeli government resistance to providing funds for compensation. One participated argued that when calculating what funds are available, the Israeli finance ministry would take into consideration the cost of resettling settlers and the added cost of security due to withdrawal from the West Bank.

Another participant referenced 2010 polling data that asked respondents under what conditions Israel should pose in return for agreeing to compensate Palestinian refugees. The majority of respondents said that under no condition should Israel compensate Palestinian refugees, and 30 per cent said that in exchange for refugee compensation Israel should require a comparable solution for Jews from Arab countries.⁵ Some agreed with linking compensation of Palestinians to compensation of Jews. It was also suggested that the easiest way to convince the Israel public to support compensation would be to present it as a trade-off for return: 'if we compensate then there is no return'. It was noted that Palestinians have long been sensitive to this trade-off, and oppose any such linkage.

Many participants acknowledged that any the amounts of compensation likely to be paid to Palestinian refugees would never be enough in the eyes of refugees, in either a material or moral sense. Most participants felt that it is in the Israeli interest to offer a lump sum for all claims, including both property and refugeehood. Another suggested that Israel pay an annual percentage of its GDP for an open-ended

⁵ Goldberg-Anavi, Dafna (2010), *Mimtsahie Seker Legabey Haplitim [Survey Findings about the Refugees]* (Tel Aviv: The Geneva Initiative).

number of years, arguing that this would contribute to stability in the region. Various percentages of annual GDP contributions were recommended: some said 0.3 per cent, and others 0.7 per cent, which is approximately one third of the OECD guideline for how much of a country's GDP should be given in aid. It was suggested moreover that implementing compensation will take much longer than one could ever expect, and therefore a compensation programme's duration should be linked to benchmarks rather than a time limit.

Participants resisted the idea that the level of compensation offered to Palestinian refugees should be compared to compensation for Israeli settlers who might leave the West Bank as part of an agreement. It was argued that this is an internal Israeli affair, and payments to settlers should not be considered compensation since they would be used to establish new communities in sovereign Israel.

Compensation for refugees could be linked to development support for the new Palestinian state as a form of collective compensation. It was argued that development aid could build a sense among refugees of compensation as contributing to a better future, rather than attempting to fully redress harm done in the past. In addition to accepting Palestinian labour, the Israeli state could support the development of hi-tech entrepreneurship and small and medium enterprises (SMEs) in the Palestinian state, as well as support infrastructure for upgrading the Palestinian economy. It was argued that infrastructural support such as providing electricity would cost Israel much less in comparison to how much Palestinians would benefit. One participant argued that state corruption and capacity should be taken into consideration when deciding how to deliver development funds.

It was suggested that while Palestinians should not assume that Israel will pay for the full cost of compensation, Israelis should likewise acknowledge that the international community, including Gulf countries, will not contribute very much to compensation, particularly in the current context when governments feel their budgets are tight. On the question of availability of funds, a comparison was drawn with the funds made available during the banking crisis and in Europe to support countries in trouble. It was argued that solving the Israeli-Palestinian conflict is as if not more important, and that when the time comes the money should be made available by the international community.

End of claims

A key Israeli need is finality – for an agreement on the refugee issue to be considered an end to all refugee-related Palestinian claims from Israel. One participant felt that it would be impossible for an agreement to actually constitute an absolute end to all claims, since interstate agreements cannot in themselves extinguish claims based on basic human rights. Others suggested that an agreement should include a mechanism for a change in circumstances. It was argued that major changes in perceptions and opinions can occur in a post-peace environment.

Moral implications of compensation

Most Israelis will perceive any payment to refugees as an admission of guilt and will link compensation with acceptance of moral responsibility and moral blame. It was argued that this contradicts with how others define the basis for compensation, which does not mean the compensating party has admitted responsibility or guilt. However for Israelis, the issue of compensation is very closely linked to the issue of moral acknowledgment and therefore to the legitimacy of Israel.⁶

⁶ The close link between questions of compensation and moral acknowledgment also applies to Palestinian perspectives. See 'The Palestinian Refugee Issue'.

Moral acknowledgment

Participants discussed the question of moral acknowledgment, or the intangible barriers to a solution of the refugee issue, which include acknowledgment or apology for the expulsion of refugees in 1948, responsibility for conflict, right of return and recognition of a Jewish state and the legitimacy of Israel. It was suggested that the core intangible barrier to resolving the refugee issue is the contradiction between Palestinian right of return and Israeli legitimacy as a Jewish state. It was acknowledged that Palestinians have previously recognized the existence of a Jewish state, however some participants stressed Palestinians' current unwillingness to do so has threatened Israelis' psychological sense of security.

It was argued that Israel did not have sole responsibility for what occurred in 1948. Instead, it was suggested that if the text of an agreement were to mention who started the war (namely the Arab countries), then this could make Israeli leaders willing to also include an acknowledgment of some responsibility for the refugee issue. Indeed, a significant number of Israelis do acknowledge that Israel had a partial role in the creation of the refugee issue. Participants referenced two studies from 2008 and 2010 on Israeli popular memory of the conflict and the causes of the refugee issue, both of which found that in approximately 40 per cent of cases, Israelis stated that some refugees were expelled and some willingly left.⁷

Both sides feel deeply damaged by the actions of the other during the conflict, and one participant asked whether, in exchange for an Israeli apology, Palestinians would be willing to apologize for their acts of terrorism against Israelis. While some participants felt that because Israel is the stronger party it can require symmetry in an apology, others instead argued that the solution must reflect the situation and therefore there can be no symmetry in an agreement, or even that Israel, as the stronger party, could afford to make more of the concessions. It was noted that many other countries, such as Canada, the United States, and Australia, have issued apologies for past human rights violations, and that the ability to do so was increasingly seen as a characteristic of a self-confident, democratic state.

Some participants felt it is best to address sensitive questions related to identity within a final status agreement only, rather than in the sort of framework agreement being proposed by the United States.

Change in Palestinian rhetoric

Participants agreed that a thorough, high profile change in Palestinian rhetoric about Israel would go a long way towards preparing Israelis to accept some responsibility for the refugee issue. Currently, many Israelis stress that moderate Palestinians are not representative of the majority. When leaders such as Mahmoud Abbas take a more moderate public stance, saying for example that he does not wish to change the character of Israel, Israelis do not believe him to be sincere. Israelis will argue that Palestinian leaders are not consistent in what they say about Israel, at times offering one line to an international audience and then delivering a different message to an Arabic speaking Palestinian audience. It was also noted that Palestinians who take a critical approach to Palestinian narratives tend to write in English and therefore impact a much smaller Palestinian audience.

Some participants also argued that negative rhetoric about Israel is understandable given the nature of the conflict, mentioning Israeli texts and public statements that contain incitement, misrepresentation of the past and rhetoric against Palestinians or Arabs. It was noted that Palestinian opinion polls have found that the Palestinians consider the British to be nearly as responsible as Israel for what occurred in 1948, and that responsibility is placed on the Arab countries as well. The Arab narrative of the Nakba for years

⁷ See footnote on page 5.

focused blame upon the Arab regimes, and the coups of the 1950s and 1960s were related to this. It was suggested that Palestinians should state these perspectives more publicly in order to build a sense of confidence and shared narrative among the Israeli public.

Jewish refugees from Arab countries

It was suggested that the issue of Jewish refugees from Arab countries after 1948 has not been dealt with appropriately, and that there should also be moral acknowledgement of the harm done to these refugees. The rights of Jewish refugees from Arab countries are too often presented as a trade-off for the rights of Palestinian refugees, and one participant mentioned that this issue is also raised as a trade-off between the Israeli government and the Israeli public to garner support for concessions offered during the talks. It was noted that in opinion polls, Israeli responses about the Palestinian refugee issue change notably when the factor of Jewish refugees from Arab countries is introduced. For example, many become willing to accept compensation for Palestinian refugees if it also offered to Jewish refugees. Almost all Israeli participants expressed the hope that Jews who were displaced from Arab countries not somehow be used as a bargaining tool to diminish a just solution for Palestinian refugees.

Bridging the gap

Participants discussed a number of ways that the gap in interest and knowledge among Israelis about the refugee issue can be bridged, as well as other follow up work that can be done on the issue, including:

- changing public perspectives;
- finding complementary approaches to the bilateral track;
- engaging with Israeli decision-makers; and
- undertaking solution-oriented research and engagement.

Changing public perspectives

It was argued that first and foremost, the Israeli public must come to realize that a peace agreement will necessarily include addressing in some way the refugee issue. Educational and awareness raising work can be done to prepare the Israeli public for an eventual conversation around moral acknowledgment. People-to-people and government-to-government activities can work towards creating a culture of peace and humanizing refugees, such as holding religious dialogues, rebuilding commemorative spaces and bringing together bereaved Israeli and Palestinian families to share their experiences.

Some participants stressed that these types of activities have been done many times, but the wider public is not aware of or impacted by them. Reconciliation projects, such as those which work to arrive at joint Israeli-Palestinian narratives on the conflict, should receive more coverage in the press. In addition, it is crucial that symbolic gestures of peace come from leaders. Gestures by Palestinians would have the most impact on changing Israeli public perspectives, given that statements alone by leaders are often unheard or not believed. Prominent champions of the importance of the refugee issue would make all the difference in increasing public interest and levels of knowledge. A champion should ideally be an Israeli, in order not to prompt defensive reactions, and should be someone who is respected by the mainstream.

In building an Israeli public debate, it was argued that there is a need to counter the belief that symbolic recognition of the 'right of return' means the destruction of Israel. It was also suggested that there should be a public conversation on what a Jewish state or homeland means to Israelis. In addition, it should be disseminated in Israel that there are critical Palestinian narratives which accept that some refugees

willingly left in 1948. It was also mentioned that while there may be conflicting narratives on both sides about the 1948 war and its consequences, there is generally a shared understanding of the impact on the refugee issue of the Absentee Property Laws of 1948 and 1949. A participant suggested creating a booklet about the issue that includes the vocabulary used by both sides, arguing that terminology around how each side approaches the past can be meaningful. For example, he argued, what Palestinians used to exclusively call ‘right of return’ they now refer to as a ‘solution to the refugee problem’.

It was argued that while it would be ideal to begin educational work on the refugee issue in Israeli high schools, realistically this could be implemented at the university level. It was mentioned that past events such as a historical conference about refugees at Tel Aviv University have been successful in promoting Israeli interest on the issue, though the level of conversation then died down. Rather than giving up when interest dissipates, one participant argued, alternative ways must be found to raise the issue’s profile.

Complementary approaches to the bilateral track

It was suggested that the refugee issue could be tackled by changing the international legal precedent and the UN principles on the issue. If a framework agreement is successfully reached, it was suggested that this be introduced as a resolution at the UN Security Council (UNSC) and aim to be passed as ‘a new UNSC Res. 242’, with the consequent force of international law. In addition, it was suggested that international donors be engaged with at an early stage, possibly by means of an international donors conference, to prepare for implementing an agreement and to discuss contributions to refugee compensation in particular.

Engaging with Israeli decision-makers

It was recommended that holding closed sessions with politicians from different parties can be one of the best ways to begin to change mainstream perspectives on the refugee issue. These sessions are particularly useful given the number of new ministers of the Knesset currently in office, and the issue can be more thoroughly discussed at private meetings. It was noted that politicians are very interested in having these meetings, particularly if Palestinians participate in the briefings. (Palestinians, however, may be less willing to do so.)

Solution-oriented research and engagement

Some participants argued that solution-oriented research and engagement on the refugee issue must take into account what is feasible for government, and the objective cannot always be a rights-based resolution to the issue, but rather a practical one. It was noted that there should be a far better understanding among Israelis of the technical issues around the refugee issue, on which much research has been done by international and Palestinian experts. While some participants felt that it is important for research on the refugee issue to engage as many refugees as possible, others disagreed, arguing that consultations with refugees would raise their expectations too high for what could come out of an agreement. Participants suggested that it would be better to focus on improving the social and economic situation in refugee communities, particularly in response to conflict in Syria and Lebanon, rather than waiting for Palestinian statehood to be achieved before this is done.

The Minster Lovell Process

For over a decade Chatham House has focused on regional approaches to the peace process, including work on the question of Palestinian refugees, an issue widely regarded as one of the most difficult elements of arriving at an agreement.

Our continuing work on the refugee issue is collectively known as the 'Minster Lovell Process', named after the Oxfordshire village where many of the meetings take place. The work has highlighted the importance of the regional dimension, bridging gaps in communication between all the countries concerned with the refugee issue and using workshops, scenario-building exercises and interviews in the region to provide technical expertise and potentially assist with on-going talks.

<http://www.chathamhouse.org/research/middle-east/current-projects/minster-lovell-process>

About the MENA Programme

The Middle East and North Africa Programme, headed by Dr Claire Spencer, undertakes high-profile research and projects on political, economic and security issues affecting the Middle East and North Africa. To complement our research, the MENA Programme runs a variety of discussion groups, roundtable meetings, workshops and public events which seek to inform and broaden current debates about the region and about UK and international policy. We also produce a range of publicly available reports, books and papers.

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