Abstract

This study tackled the Palestinian refugees problem in 1948, and it dealt with the factors and events which led to this problem in addition to the accompanying plans which aimed at transferring Palestinians to the neighboring countries, in which there were already tailored plans to integrate and assimilate them. In order to solve the Palestinian refugees problem, several international resolutions and legal decrees were issued, most importantly was Resolution No. 194 by the General Assembly of the United Nations in 1948 which addressed the Palestinians' right of return and compensation for the refugees.

It was vital to be on familiar terms with the nature of this Resolution and its legal basis. and the relation between the Refugees' right of return and the right of determination of the Palestinian people to know the extent of its effect on the nature of this right of determination.

We would like to point out Israel's stand regarding the Palestinians' legitimate rights; and most importantly the right of return. Israel had denied Palestinian refugees rights by refusing all U.N resolutions except its acceptance of resolution No. 273, which was issued by the General Assembly of the United Nations in 11th May 1949. This resolutions accepted the State of Israel as a member in the United Nations guaranteeing Israel's acceptance of a Palestinian State based on Partition Resolution No. 181, and the refugees right of return in accordance with Resolution No. 194.

The double standards of the International Organization were no different to its members' position. Despite its support to the Palestinians right of return through supporting Resolution No. 194, the United States of America actually supported alternative plans which aimed at integrating Palestinian refugees in the neighboring Arab Countries. We also came to realize the extent of the pressure exerted and still currently being exercised by the United States on the European Community, Third World Countries, and the Regional groupings to isolate the Palestinian issue. Moreover, we noted that with the increase of the American domination, the international community followed path.

Thus; we are able to conclude that the American position would not improve with regard to the Palestinian cause "as long as the Arab situation remains as is" unless it is in harmony with the American benefits and on condition that it wouldn't affect Israel's security.

Based on that, we note that whenever the Palestinian-Israeli negotiations begin to discuss the refugeęs rights of return "being the core issue", it would turn out to a very conflicting situation. Israel used the premises that this threatens the Jewish identity of the State of Israel. In other times, Israel claimed that the new Palestinian entity would not be able to sustain the integration of millions of Palestinian returnees.

The political nature of the Palestinian refugees cause- expressed early on through the United Nations exempting it from the care of the Higher Commission of Refugees due to the political nature of this cause. It also continued to deal with the Palestinian refugee's issues since its inception through the suggested political solutions. In Madrid Peace Conference, refugees sector working group was established which in turn diverted the cause into primarily focusing on donor's projects for the purpose of integration and assimilation. In the best case scenario, the sector working group attempted to open up the compensation file and reunification which limit the refugees issue to only the humanitarian side, and put several economic and social obstacles in the face of their plight for their right of return.

Palestinians consider the refugee's problem as a political and national one and not a humanitarian problem with social living angels. Any solution – in their opinion- should be just and comprehensive and based on UN Resolutions unanimously agreed upon relating to the Palestinians right of return. The Palestinians want Israel to acknowledge the political and moral right of the Palestinians refugees to return back to their homeland from which they were expelled, and based on the condition that solving of this problem would include financial compensations.

Moreover, there is still evidence that the Palestinian plight to their right of return became recently a central issue, and maybe one of the most serious issues in the will to achieve a just, comprehensive and lasting peace.

This emphasizes the fact the Palestinians' demand for their right of return constitutes eliminating a crime committed against them and which lasted for more than half a century. It also shows that the continuous Palestinians demand to return is an evidence of to the Palestinians' dynamic nature and their ability for steadfastness and struggle to achieve their national rights.