



SECURITY COUNCIL RESOLUTION 242 AND THE RIGHT OF REPATRIATION

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Israel takes the position that UN Security Council 242's call for a "just settlement of the refugee problem" does not require the repatriation of the Arabs displaced from Palestine in 1948. However, the background to the drafting of that phrase, reviewed in this article, suggests that this was in fact the intention of the resolution's drafters.

IN NOVEMBER 1967, the United Nations Security Council adopted Resolution 242, which gave a prescription for reversing the consequences of the Israeli-Arab hostilities of June of that year and for dealing more generally with the Palestine issue that had been on the UN agenda since 1947. In one clause of Resolution 242, the Security Council called for "a just settlement of the refugee problem." This was a reference to the Palestine Arabs displaced in 1948 from the territory that became Israel that year. The phrase "just settlement" has given rise to controversy—whether it requires repatriation to home areas, or whether it might be satisfied by solutions involving resettlement elsewhere, even against the will of those who were displaced and their progeny. This difference of view assumed particular significance at the time of the "final status" talks between Israel and the Palestine Liberation Organization (PLO) in 1999 and 2000. The divergence continues and may complicate efforts to resolve the issue. This essay explores the background to 242 with a view toward shedding light on what the Security Council meant by "just settlement of the refugee problem."

EARLY UN CONSIDERATION OF THE REFUGEE ISSUE

In the autumn of 1948, when Israel made clear that it was not disposed to repatriate the Arabs of Palestine, the world community responded with a degree of outrage. There was no reason to deny re-entry, it was said. Dean Rusk, at the time a member of the U.S. delegation to the UN General Assembly, expressed the view of many when he said, referring to the displaced Arabs,

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“These unfortunate people should not be made pawns in the negotiations for a final settlement.”¹

The UN General Assembly addressed the refugee question in its first major resolution following the takeover of the bulk of the territory of Palestine by the Jewish Agency, the governing body of the Jewish Community in Palestine. The resolution did not question the propriety of the Jewish Agency’s declaration of Israeli statehood on 14 May 1948 or the military campaign it had waged through its military arm, the Haganah, to rid Palestine of its Arab inhabitants. The only major issue on which the General Assembly challenged Israel was its refusal to repatriate the Palestine Arabs displaced outside the borders of the territory that the Jewish Agency (prior to May 1948) and Israel (after May 1948) took by force of arms. In its Resolution 194 of December 1948, the General Assembly

[r]esolve[d] that the refugees wishing to return to their homes and live at peace with their neighbours should be permitted to do so at the earliest practicable date, and that compensation should be paid for the property of those choosing not to return and for loss of or damage to property which, under principles of international law or in equity, should be made good by the Governments or authorities responsible.²

It is unclear to what extent General Assembly delegates were familiar with the circumstances under which the Arabs had departed. Israel was claiming that it had not forced them out. Israeli archival material has since demonstrated that the Palestinian Arabs who were displaced in 1948 were, in the main, forced out, having left either under direct compulsion or out of fear.³ Nonetheless, it is irrelevant whether persons leave voluntarily or under compulsion. A right of return obtains in either situation.⁴

In calling on Israel to repatriate the displaced Arabs, the General Assembly was acting in accordance with a body of international practice that viewed states as having an obligation to allow re-entry to any of their nationals who for whatever reason might be abroad. Under international law, a state is not required to grant residence rights to foreigners. Hence, if a national of one state is in the territory of another and the state of nationality refuses re-entry, the other state is in effect forced to keep a person to whom it has no obligation of residence.⁵ Refusal to repatriate violates the rights of the state where the person has found temporary refuge.

In addition, a right of the individual to residence in that individual’s state of nationality is also recognized in international law. Within a few days of adopting Resolution 194, the General Assembly adopted the Universal Declaration of Human Rights, which proclaimed that “Everyone has the right to leave any country, including his own, and to return to his country.”

For the displaced Arabs, Palestine was their “country.” Palestine by late 1948 had been displaced by Israel, which meant that the obligation to repatriate fell on Israel. When one state replaces another, it assumes obligations toward the

population. A newly sovereign state cannot de-nationalize the inhabitants of the territory over which it has gained sovereignty.⁶

Yet Israel argued that the displaced Palestine Arabs did not hold Israeli nationality, and that Israel was not required to grant them Israeli nationality. Addressing the General Assembly in December 1950, Israeli delegate Abba Eban said:

under the provisional national law the only citizens of Israel were those who had been registered toward the end of 1948 for the first elections to the Knesset. Moreover, the idea of citizenship had a moral aspect which must be taken into account: a citizen did not only have rights, he also had duties; and one of the most important functions of government was to reconcile the rights and duties of citizens.⁷

Israel's Nationality Law, adopted in 1952, provided that Israeli nationality was held by anyone who was a citizen of Palestine when the Israeli state was declared and who remained within Israel continuously until the time the bill was passed, as well as anyone who had been absent during that period but returned lawfully by 1952.⁸ This law effectively de-nationalized the displaced Palestine Arabs, thereby violating the obligation under international law to accord nationality to the inhabitants of the territory over which Israel assumed sovereignty.

Israel's refusal to repatriate was also inconsistent with the recommendation the General Assembly had made in 1947 for the partition of Palestine. That proposal envisaged two states in which the rights of the minority population of each would be respected.⁹ Refusing to allow the minority to live in the territory was, needless to say, inconsistent with that obligation.

UN ACTION TO IMPLEMENT REPATRIATION

In Resolution 194, the General Assembly created an implementation mechanism in the form of a commission comprising representatives of Turkey, France, and the United States. This three-member group was called the Palestine Conciliation Commission.¹⁰ One of the commission's tasks was to convince Israel to comply with the refugee clause of Resolution 194. To this end, the commission visited Israel and spoke with Prime Minister David Ben Gurion in 1950 about repatriation. The commission inquired of Ben Gurion whether "the Government of Israel accepted the principle established by the General Assembly's resolution, permitting the return to their homes of those refugees who expressed the desire to do so." According to the commission, Ben Gurion challenged the commission's understanding of Resolution 194. Focusing on the phrase "live at peace with their neighbours," Ben Gurion, in the commission's paraphrasing, said that

this passage made the possibility of a return of the refugees to their homes contingent, so to speak, on the establishment of peace: so long as the Arab States refused to make peace with the State of Israel, it was evident that Israel could not fully rely upon the declaration that Arab refugees might make concerning their intention to live at peace with their neighbours.¹¹

Ben Gurion's reading of Resolution 194 would be repeated by Israeli political leaders when later efforts were made to convince Israel to repatriate the displaced Arabs. The commission's effort produced little result. Israel admitted a few thousand Palestinians under the family reunification rationale. In 1949 it offered to admit 100,000 displaced Arabs, but when UN officials viewed that offer as inadequate, Israel retracted it altogether.¹²

The commission disputed Ben Gurion's view that the Arab states needed to make peace with Israel before it was required to repatriate the refugees. Mark Ethridge, the U.S. member of the commission, reported back to Washington that the commission had emphasized the importance of repatriation in its talks with Ben Gurion:

Commission members, particularly U.S. Rep., have consistently pointed out to Prime Minister, Foreign Minister, and Israeli delegation that key to peace is some Israeli concession on refugees.¹³

The repatriation issue received attention at the United Nations in the early 1950s as proposals were floated to encourage those refugees who were willing to integrate into the economic lives of the host countries to do so without prejudice to the right of return.¹⁴ In the 1950 UN debates, Israel's representatives insisted, as had Ben Gurion, that a political settlement must come first. Abba Eban went so far as to try to portray the "political settlement first" view as that of the United Nations:

United Nations policy explicitly recognized the interrelation between a solution of the refugee question and a restoration of normal relations among the States concerned. That United Nations view had been set forth in resolution 194 (III) adopted 11 December 1948 and in the report of the United Nations Conciliation Commission (A/1367, A/1367/Corr.1).¹⁵

Moshe Sharett, Israel's foreign minister who also participated in the 1950 debates at the United Nations, pushed this same line, stating that it was the fault of the Arab states that Israel was not repatriating. Resolution 194, he said, "attached the same degree of urgency to a general peaceful settlement and the solution of the refugee problem by repatriation, resettlement and the payment of compensation." Sharett said that "by refusing to conclude peace, the Arabs

were making repatriation impossible, for peace was an essential condition of repatriation.”¹⁶

Israel’s argument that repatriation was required only after a political settlement was met with solid rejection by other UN member states. At one point in the 1950 discussion, the U.K. delegate stated, “there could be no question that refugees wishing to return and live at peace with their neighbors had the right to do so.”¹⁷ The U.S. delegate agreed.¹⁸ The Philippines delegate said “that the Arab refugees’ right to return to their homes was a basic human right recognized by the General Assembly” and that “its solution could not be made contingent upon the settlement of larger issues.”¹⁹

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During those same UN discussions, suggestions were made that the Arab states where Palestinian refugees had found refuge should grant permanent status to those who might prefer to remain rather than return to a homeland that was quite different from the one they had left. It was emphasized, however, that this would be without prejudice to the refugees’ rights. Denmark in particular emphasized in response that the resettlement possibility did not negate a right of repatriation. Noting that some refugees might prefer to remain where they had found refuge, the Danish representative said “that was a matter which only the individual refugee would decide.”²⁰ The Belgian delegate noted that the right of return was not affected by the possibility that some refugees might remain abroad:

[T]he decisions of principle which had been adopted in resolution 194 (III) with regard to the repatriation or re-establishment of the Arab refugees were based upon legal concepts of property and on certain human rights. The point at issue was not to reopen a debate on the legal principles, but to find a formula which would obtain the voluntary cooperation of a number of States.²¹

In the years following the discussions of the early 1950s over voluntary resettlement in host countries, the General Assembly annually adopted a resolution criticizing Israel for failing to implement Resolution 194. The repetition of these resolutions indicated that Israel was regarded as being in breach of its obligation to repatriate even in the absence of a political settlement.

AFTER THE 1967 WAR

The next major development with regard to UN action on the refugee issue came in the wake of the June 1967 war, when Israel captured the West Bank, the Gaza Strip, the Sinai Peninsula, and the Golan Heights. Even though the UN Security Council, in its thorough debates about the war, did not reach a conclusion as to which side had been responsible for initiating the conflict, there was complete agreement within the Security Council, as would eventually

be expressed in Resolution 242, on the necessity to reverse the action. When it became obvious, in June 1967, that the Security Council was not going to take any immediate or definitive action on the issue of securing withdrawal, the UN General Assembly decided on 16 June to convene an emergency special session.

At that session, the member states were keen to secure both an Israeli withdrawal and the adoption of other measures regarded as necessary to a long-term resolution of the conflict over Palestine. The refugee issue was high on the list, since Israel's agreement to repatriate was seen as a necessary element of a peace settlement. Thus, when draft resolutions were proposed at the General Assembly's special session, the refugee issue was included. The United States submitted a draft resolution that called for the following measures:

- (a) Mutual recognition of the political independence and territorial integrity of all countries in the area, encompassing recognized boundaries and other arrangements, including disengagement and withdrawal of forces, that will give them security against terror, destruction and war;
- (b) Freedom of innocent maritime passage;
- (c) A just and equitable solution of the refugee problem;
- (d) Registration and limitation of arms shipments into the area;
- (e) Recognition of the right of all sovereign nations to exist in peace and security.²²

In floor debate, the U.S. delegate used slightly different terminology, calling for "a just and permanent settlement of the refugee problem."²³ At the final meeting of the emergency special session, he called for "a just and final solution to the refugee problem."²⁴

The meaning of "just" in this context received little discussion at the emergency special session, probably because the states were focused primarily on the issue of an Israeli withdrawal and because the parameters of a proper resolution for a settlement of the refugee issue, namely repatriation, were well understood. The summaries of the debates at the emergency special session show no indication of any dispute as to the meaning of "just" with regard to a settlement of the refugee issue. The General Assembly, as indicated, had been clear in prior years that the refugees were entitled to return at their option.

The debates show no indication of any dispute as to the meaning of "just" with regard to the refugee issue, the General Assembly having been clear in prior years that the refugees were entitled to return at their option.

The General Assembly produced a number of resolutions on Jerusalem at its summer 1967 emergency session, but for reasons unrelated to the refugee issue, accomplished little in terms of a more comprehensive resolution. Disagreement had emerged over how to frame an overall resolution, but when the Security Council took up the issue in the autumn of 1967, its deliberations were influenced by the General Assembly's work during the summer session.

The first draft of what became Resolution 242 was submitted to the Security Council on 7 November by the United States. Employing a structure that would be preserved when Resolution 242 was finalized, the United States dealt in an initial paragraph with Israel's withdrawal and a political settlement with Arab states, and in a second paragraph with three other issues.²⁵ This second paragraph referred in particular to the issue of refugees and called for a "just settlement of the refugee problem."

Like the General Assembly, the Security Council devoted little discussion to the term "just." Members focused instead on the modalities of an Israeli withdrawal from the territories that had been occupied. Discussion centered on the question of whether to call for a withdrawal pure and simple, or whether to call at the same time for an overall political solution involving the Arab states and Israel. Withdrawal by Israel was the matter that had led the Security Council to take action. None of the issues listed in the second paragraph generated any great debate.

Two days later, three other Security Council members—Mali, Nigeria, and India—submitted a draft of their own. Their draft called for a "just settlement of the question of Palestine refugees," again using the term "just."²⁶ To indicate why they had used this phrase, they said they had wanted to be precise that what was being discussed were the 1948 refugees, not the Palestinians displaced from the Gaza Strip or West Bank as result of the 1967 hostilities. "[I]n our view the question of refugees comprehends only the Palestinian refugees and not those who have acquired that status as a result of the conflict in June of this year. In our view, as soon as Israel withdraws from all the territories she has occupied as a result of that conflict, the problem of the so-called new refugees would automatically cease to exist." India apparently anticipated an early Israeli withdrawal that would resolve the issue of the Arabs displaced in 1967.²⁷ The three states were concerned that since there had been a new outflow of refugees, some might read the refugee clause as applying only to these new refugees, and not to the 1948 refugees. There does not seem to have been any serious doubt, however, that the refugees being mentioned included the 1948 refugees.

The Soviet delegate commented on the Mali-Nigeria-India draft as follows:

[I]f Israel demands that the Arab and other States should recognize its rights, it must not at the same time refuse to recognize the lawful rights of that part of the Arab people of Palestine which is now living in exile, and it must respect the many United Nations General Assembly resolutions on that question.²⁸

There was no further discussion on the question of the identity of the refugees referenced in the second paragraph. No member state objected to the statements by India or the Soviet Union that it was the Arabs displaced in 1948. Furthermore, the other two issues seen as important for the overall resolution

of the Arab-Israeli conflict that were raised in the second paragraph—maritime rights and security—were also, like the refugee issue, longstanding ones. In that context, reference to refugees was quite obviously to the Palestine Arabs displaced in 1948. This conclusion is reinforced by the use of the term “problem.” The refugee “problem” that had bedeviled the United Nations for so many years was, of course, that of the Arabs displaced in 1948.

As debate continued, the U.S. delegate outlined an overall vision for peace that included five principles: “(1) the recognition of national life, (2) justice for the refugees, (3) innocent maritime passage, (4) limits on the arms race, and (5) political independence and territorial integrity for all.”²⁹

The British delegate, Lord Caradon, intervened to say that “just settlement” was language sought by the Arab states. “The Arabs want not charity but justice. They seek a just settlement to end the long and bitter suffering of the refugees.”³⁰ Since 1948, the Arab states had strongly and consistently demanded that Israel offer repatriation to all the displaced Palestine Arabs.³¹

LORD CARADON AND “JUST SETTLEMENT” AS THE “ARAB POSITION”

On 16 November, the United Kingdom submitted a draft resolution that closely tracked the U.S. draft.³² It was this draft that would be adopted as Resolution 242. Like the U.S. draft, its phrasing on the refugee issue was “just settlement of the refugee problem.” When the United Kingdom submitted its draft, the Mali delegate took the occasion to speak again in favor of the Mali-Nigeria-India draft, even though on the refugee issue all drafts were already using the term “just.” The Mali delegate said that he saw no difference of view among Security Council members on the refugee issue:

There is another point of agreement which likewise cannot be denied in view of the clear and unambiguous way in which it has been expressed in the debates of recent months, namely, the necessity to do universal justice to the Arab people of Palestine. The wretched treatment meted out to this people over the last twenty years is the real source of the malady which has been ravaging the Middle East ever since the implementation of the plan for the partition of Palestine. The forcible expulsion of millions of human beings from their homes and homeland and the wholesale privations suffered by the Palestine Arabs as victims of a plan conceived without their participation are acts which provoke in every human being reactions as natural as that which prompts men to seek to return to their homeland, their home, their lands and the soil where their ancestors lie.

In his recent analysis of the international political situation, the Secretary-General very rightly recalled, as a perennial

necessity, the natural right of every human being, wherever he may be, to live in his homeland and to establish a home and build a future there. It is precisely the denial of this sacred right so far to the Arab people of Palestine that has been basically responsible for the episodes of violence upon violence which have engendered the law of 'an eye for an eye' and led to the state of belligerency that has prevailed in the Middle East for the last twenty years.³³

The Secretary-General's analysis to which the Mali delegate had referred was contained in his annual report for the UN calendar year 1966-67, which ended on 15 June. In his report, UN Secretary-General U Thant made a statement on the refugee question that clearly indicated the continuing UN view that repatriation was the key to a just resolution of the 1948 refugee problem. In his statement, he emphasized that "there are certain fundamental principles which have application to the issues of the Middle East and which no one would be disposed to dispute as to their intrinsic worth, soundness and justness . . . people everywhere, and this certainly applies to the Palestinian refugees, have a natural right to be in their homeland."³⁴ As in the various draft resolutions, the Secretary-General used the term "just." U Thant had been focusing on the refugee issue during the period of the debate because the Security Council had requested him to seek Israel's compliance with the Council's call for Israel to repatriate persons displaced as result of the June 1967 hostilities.³⁵

One other draft was submitted before final action was taken by the Security Council. On 20 November, the USSR submitted a draft resolution that stated: "There must be a just settlement of the question of the Palestine refugees."³⁶ Again, the term "just" was used. The Soviet delegate said, "The Soviet Union is in favour of a peaceful and just settlement of the problem of the Arab refugees, based on their lawful rights and interests."³⁷

Two days before Resolution 242 was adopted, Lord Caradon reiterated his point that "just settlement" reflected the Arab view. Said Lord Caradon: "In the long discussions with the representatives of Arab countries they have made it clear that they seek no more than justice. . . . The issue of withdrawal is all important to them, and of course they seek a just settlement to end the long suffering of the refugees."³⁸ It goes without saying that the Arab view that the displaced Palestine Arabs were legally entitled to return.

On 22 November, the Security Council adopted the final text of Resolution 242, including the "just settlement" language.³⁹ By Resolution 242, the Security Council:

1. Affirm[ed] that the fulfilment of Charter principles requires the establishment of a just and lasting peace in the Middle East which should include the application of both the following principles:
 - (a) Withdrawal of Israel armed forces from territories occupied in the recent conflict;

- (b) Termination of all claims or states of belligerency and respect for and acknowledgement of the sovereignty, territorial integrity and political independence of every State in the area and their right to live in peace within secure and recognized boundaries free from threats or acts of force;
2. Affirm[ed] further the necessity
- (a) For guaranteeing freedom of navigation through international waterways in the area;
 - (b) For achieving a just settlement of the refugee problem;
 - (c) For guaranteeing the territorial inviolability and political independence of every State in the area, through measures including the establishment of demilitarized zones.⁴⁰

Shortly after Resolution 242 was adopted, the U.S. delegate to the General Assembly's Special Political Committee introduced a resolution concerning the UN Relief and Works Agency. The resolution was adopted by the committee,⁴¹ and then by the General Assembly, as Resolution 2341(A). It noted "with deep regret that repatriation or compensation of the refugees as provided for in paragraph 11 of General Assembly resolution 194(III) has not been effected."⁴² By thus criticizing Israel for its refusal to repatriate, the United States, too, is on record as indicating its view that what was required of Israel on the refugee issue was repatriation.

THE IMPACT OF RESOLUTION 242

Not surprisingly, in the PLO-Israel negotiations of 1999–2000, the PLO and Israel disagreed on what is required by a "just settlement" as called for by Resolution 242. The PLO took it to require repatriation by Israel, whereas Israel took it to impose no such obligation. Israel had always maintained this position, but in these negotiations it deployed new arguments. Indeed, Israel's long-standing argument that the repatriation issue must await an overall settlement had grown thin, especially since its conclusion of agreements with its two most significant adversaries, Egypt and Jordan, had effectively eliminated the risk of military attack by its neighbors.

Cognizant of this dilemma, Israeli officials moved on to other arguments for not admitting the displaced Palestine Arabs. One was that Israel needed to preserve its Jewish identity and that this consideration justified refusing repatriation. Former Prime Minister Benjamin Netanyahu referred to refugee repatriation as "demographic suicide" for Israel. Another argument was that if there were to be a Palestinian state in Gaza and the West Bank, refugees should go there rather than to their home areas. Neither of these arguments addressed the fact that the refugees are entitled under international law to return to their home areas. Neither was based on any principle recognized in the international community. Neither had been asserted by Israel until recent years.

The argument about Israel's Jewish identity runs up against the obligation of states to deal with all citizens—and those entitled to citizenship—without distinction as to ethnicity. It also, as indicated, runs counter to the General Assembly's position, as taken in the 1947 partition resolution, that each contemplated state should treat fairly its minority citizens.

In recent years, efforts have also been made on the Israeli side to equate the issue of Jewish refugees from Arab countries with that of the Palestine Arab refugees and to suggest that the issue of the Palestine Arab refugees need not be resolved until and unless resolution is also reached for the Jewish refugees from Arab countries. As far as Resolution 242 is concerned, however, it is clear from the context in which it was adopted, and from the statements recounted above by delegates, that Resolution 242 contemplates the Palestine Arab refugees only.

The argument that the displaced should live in a Palestinian state is another way of arguing that the displaced should find a permanent home other than in the area to which they are entitled to return. The existence of another state where persons of the displaced population group predominate does not negate return as a right.

Forcing negotiations into a bilateral framework after 1993 seemed to give equal weight to each side's interpretation. When the PLO asserted that repatriation was required, and Israel said it was not, there was no one to bridge the difference. When one looks at Resolution 242 and the history of its adoption, however, it is clear that Israel stands alone in the international community in asserting that Resolution 242 did not require repatriation.

Two Israeli scholars, Eyal Benvenisti and Eyal Zamir, have focused on the UN efforts of the 1950s to encourage resettlement abroad for the displaced Palestine Arabs as indicative of a rejection by the UN of any idea that Israel was under an obligation to repatriate. Benvenisti and Zamir take "just settlement" as encompassing a variety of solutions that could be considered "just," not necessarily repatriation.⁴³ The resettlement proposal, however, was not, as indicated, viewed by states as negating Israel's obligation to repatriate. No state at the UN, other than Israel, suggested that refugees could be forced to accept resettlement abroad. In the debates leading to the adoption of Resolution 242, in particular, no member of the Security Council suggested that "just settlement" did not require Israel to offer repatriation. No state supported Israel's reading of "just settlement."

Repatriation as called for in Resolution 194 is what was contemplated by the "just settlement" phrase in Resolution 242. The conclusion on this point reached some years ago by international law specialists Sally and Tom Mallison, authors of a major work on legal aspects of the Palestine question, is borne out by the evidence, as recounted above, of UN activity on the issue. The Mallisons noted that "[t]here are no elements of such a just settlement stated in the resolution [242] and the only authoritative principles adopted by the United Nations on this subject remain the General Assembly resolutions."⁴⁴

What the international community regards as "just" for the displaced Palestine Arabs is hardly a matter of ambiguity. What has been lacking is an

international will to achieve a result based on what the international community regards as required.

NOTES

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3. See Benny Morris, *The Birth of the Palestinian Refugee Problem, 1947–49* (Cambridge and New York: Cambridge University Press, 1987); Ilan Pappé, *The Ethnic Cleansing of Palestine* (Oxford: OneWorld, 2006).
4. International Covenant on Civil and Political Rights, Article 12, para. 4.
5. John Quigley, “Mass Displacement and the Individual Right of Return,” *British Year Book of International Law* 68 (1997), p. 65; John Quigley, “Displaced Palestinians and a Right of Return,” *Harvard International Law Journal* 39, no. 1 (Winter 1998), pp. 171–229.
6. Ian Brownlie, “The Relations of Nationality in Public International Law,” *British Year Book of International Law* 44 (1963), p. 320.
7. See UN GAOR, 5th Sess., Ad Hoc Political Committee, 66th mtg., Summary Records of Meetings 30 September to 14 December 1950, p. 427, para. 48, UN Doc. A/AC.38/SR.66, 1950. The language quoted is a paraphrase of Mr. Eban’s statement.
8. Nationality Law, art. 2, *Laws of the State of Israel*, 6 (1952), p. 50.
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10. UNGA Res. 194 (III), para. 2, UN GAOR, 3d Sess., Res. 21, UN Doc. A/810, 1948.
11. General Progress Report and Supplementary Report of the United Nations Conciliation Commission for Palestine covering the period from 11 December 1949 to 23 October 1950, UN GAOR, 5th Sess., Supplement No. 18, at p. 13, UN Document A/1367/Rev.1.
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14. Cattan, *Palestine Question*, p. 65; Pappé, *Arab-Israeli Conflict*, p. 231; Tessler, *Israeli-Palestinian Conflict*, p. 314.
15. UN GAOR, 5th Sess., Ad Hoc Political Committee, 68th mtg., Summary Records of Meetings 30 September to 14 December 1950, p. 437, para. 3, UN Doc. A/AC.38/SR.68, 1950.
16. UN GAOR, 5th Sess., Ad Hoc Political Committee, 64th mtg., Summary Records of Meetings 30 September to 14 December 1950, p. 413, para. 14, UN Doc. A/AC.38/SR.64, 1950.
17. UN GAOR, 5th Sess., Ad Hoc Political Committee, 66th mtg., Summary Records of Meetings 30 September to 14 December 1950, pp. 423–4, para. 10, UN Doc. A/AC.38/SR.66, 1950.
18. *Ibid.*, p. 424, para. 12.
19. UN GAOR, 5th Sess., Ad Hoc Political Committee, 72d mtg., Summary Records of Meetings 30 September to 14 December 1950, p. 464, para. 17, UN Doc. A/AC.38/SR.72, 1950.
20. UN GAOR, 5th Sess., Ad Hoc Political Committee, 64th mtg., Summary Records of Meetings 30 September to 14 December 1950, p. 417, para. 64, UN Doc. A/AC.38/SR.64, 1950.
21. UN GAOR, 5th Sess., Ad Hoc Political Committee, 66th mtg., Summary Records of Meetings 30 September to 14 December 1950, pp. 424–25, paras. 26–27, para. 64, UN Doc. A/AC.38/SR.66, 1950.
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27. *Ibid.*, p. 10.
28. *Ibid.*, p. 16.
29. UN SCOR, 22d Sess., 1377th mtg., 15 November 1967, p. 7, UN Doc. S/PV.1377, 1967.
30. *Ibid.*, p. 4.
31. *Jerusalem Post*, 24 January 1950, p. 1. The article states that “[s]pokesmen for the Arab Governments renewed their demands that Israel take back all the refugees who wish to return. . .”
32. UN SCOR, 22d Sess., 1379th mtg., 16 November 1967, p. 2, UN Doc. S/PV.1379, 1967.
33. *Ibid.*, pp. 4-5.
34. Introduction to the Annual Report of the Secretary-General on the Work of the Organization 16 June 1966-15 June 1967, UN GAOR, 2d Sess., Supp. No. 1A, p. 7, UN Doc. A/6701/Add.1, 1967.
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36. UN SCOR, 22d Sess., 1381st mtg., 20 November 1967, p. 2, UN Doc. S/PV.1381, 1967.
37. *Ibid.* pp. 2-3.
38. *Ibid.*, p. 4.
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40. UNSC Res. 242, UN SCOR, 22d Sess., p. 8, UN Doc. S/INF/22/Rev.2, 1968.
41. UN GAOR, 22d Sess., Special Political Comm., 594th mtg., Records of Meetings 19 September-16 December 1967, p. 312, UN Doc. A/SPC/SR.594 (1970) (vote 99-0-2).
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