

FACTSHEET: RECOGNITION OF JEWISH & PALESTINIAN REFUGEES



While settlement of the millions of Palestinian refugees has been at the forefront of international consciousness for the past 60 years, a vigorous six year campaign by Justice for Jews from Arab Countries (JJAC) has been mounted to raise the profile of the Jewish refugee issue (i.e. Jews displaced from Arab countries – e.g. Iraq, Egypt, etc. – during the late 1940s and following.) It is important to understand why this campaign has been launched now, and how such claims should be viewed.

Did Israel press for recognition of Jewish refugees after the 1948 war?

Although Israel raised the issue in the UN's 1949-50 conciliation negotiations between Israel and Arab states, it apparently did so within a very narrow frame of reference. In the UN's 24,465-word conciliation report, the phrase "Jewish refugee" appears just once, in a 37-word passage, the salient part of which reads: "...[financial] assistance would be extended to include the resettlement of Jewish refugees from the Arab-controlled areas of Palestine."¹ No reference was made anywhere else in the report to Jewish refugees from other Arab states. Moreover, even within the narrow context of Jewish refugees from Arab-controlled areas of Palestine, the Israeli government "was not prepared to negotiate on any point separately and outside the framework of a general settlement." Whether intentional or not, Israel effectively forestalled resolution of the "refugee problem" for both sides. As an aside, the term 'refugee(s)' appears 244 times in the report, and in all but the one instance cited above, the term appears to refer to Arab or Palestinian refugees.

What triggered recent interest in Jewish refugees from Arab states?

At the Camp David II summit in July 2000, Palestinian negotiators called for a right of return or compensation for the Palestinian refugees of the 1948 Arab-Israeli war. The Israelis countered with a call for recognition of the larger number of Jewish refugees, who had been forced out of Arab countries, had not been compensated, and had ended up in Israel. In an interview after the summit, President Clinton said: "There is, I think, some interest...on both sides, in also having a fund which compensates the Israelis who were made refugees by the war..."²

Following Camp David II, the World Organization of Jews from Arab Countries (WOJAC) and Justice for Jews from Arab Countries (JJAC), took on the task of organizing a campaign to recognize the rights of Jewish refugees. Currently, a coalition of 65 non-governmental Jewish organizations from 22 countries is involved in the campaign. Of these, 22 (42%) are based in the US and 4 (6%) are in Canada. The IRRC's stated goals are to "...record and publicize the mass violations of human rights suffered by Jews under Arab regimes and document the loss of extensive communal and individual assets."

The governments of Israel and the US have also demonstrated their support for the cause. Israel's Ministry of Justice is cataloguing and preserving evidence of refugee claims and compiling the legal and factual basis necessary to support Jewish refugee rights.³ In the US, a recent Senate resolution calls on the US Government to support the position that, as an integral part of any comprehensive peace, consideration be given to the legitimate rights of all refugees displaced from Arab and Muslim countries, and to the losses incurred by Jews, Christians, and other minority groups as a result of the Arab-Israeli conflict.

Is there opposition to the campaign to recognize Jewish refugees?

To skeptics, the campaign is little more than "...cynical attempts to undercut the claims of Palestinians who fled Israel at its establishment."⁴ A professor of Arab studies at Columbia University argues "This is a bait-and-switch tactic that does not serve either Palestinians or Oriental Jews or a just peace."⁵ A New York physician and Jew who fled Iraq in 1950 "...recalled being greeted in Israel as a Zionist pioneer

who had come to the motherland, not pitied as a refugee whose family's business had been confiscated.”⁶ Jewish refugees and Israeli scholars acknowledge that Israel did not press for compensation immediately after the war because “[t]he nation's identity rested on seeing itself as the chosen refuge of the world's Jews.”⁷ Indeed, historically, such campaigns have been considered “anti-Zionist” as they undercut the traditional ideological narrative of Zionism.

Perhaps the most incisive criticism comes from Yehouda Shenhav, a professor at Tel Aviv University and author of *The Arab Jews: A Postcolonial Reading of Nationalism, Religion, and Ethnicity*. He, too, argues that the current campaign for recognition of Jewish refugees is “a folly attempt to use the Arab Jews and their histories to counter-balance the Palestinian claim for the so called ‘right of return.’”⁸ The current campaign has not won mass support in Israel, and no Israeli politicians have enthusiastically endorsed the campaign. Shenhav reasons that Israeli governments have avoided issuing declarations in support of Arab Jewish refugees for two reasons: (1) such proclamations might unleash a new wave of global support for Palestinians' demand for return; and (2) the political and financial costs of such a declaration would likely far outweigh the benefits by virtue of the potentially greater number of Palestinian property claims compared to Jewish refugee claims.

Does this campaign impact Palestinian refugee claims for redress?

The grievances of Jewish refugees from Arab countries (estimated at 850,000 by JJAC) seeking redress do not impact or offset the grievances of Palestinian refugees (estimated between 750,000 and 1 million) for the following reasons:

- The rights of all refugees are protected under international law. They are individual rights, and stand independently of the claims that other individuals may make.⁹
- The Arab states, not the Palestinians, were responsible for involuntary Jewish exodus from those states. The Palestinian leadership has typically supported the claims of Jewish refugees.
- No reciprocal exchange of populations took place. Palestinian refugees ended up primarily in the West Bank and Jordan (506K), Syria (82K), Lebanon (127K), and Gaza (198K).¹⁰ Jewish refugees fled Morocco (265K), Algeria (140K), Iraq (135K), Tunisia (105K), Egypt (75K), Yemen (55K), Libya (38K), Syria (30K), Aden (8K), Lebanon (5K).¹¹
- Jews who fled their homes involuntarily, and whose property was illegally confiscated have the same right to compensation as Palestinians and others. This is an individual right. The government of Israel is not entitled to lay claim to their compensation in order to reduce its debt to Palestinians.

¹ U.N. General Assembly, 5th Session. *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*. Supp. No. 18 (A/1367/Rev.1) Official Records. New York, 1951.

<http://domino.un.org/unispal.nsf/9a798adbf322aff38525617b006d88d7/93037e3b939746de8525610200567883!OpenDocument> (Apr. 1, 2007)

² United States. Cong. Senate. 110th Congress, 1st Session. *S. Res. 85, Expressing the sense of the Senate regarding the creation of refugee populations in the Middle East, North Africa, and the Persian Gulf region as a result of human rights violations*. [In the Senate of the U.S., February 16, 2007]. <http://www.govtrack.us/congress/billtext.xpd?bill=sr110-85> (Mar. 31, 2007).

³ Israel. Ministry of Justice, *Rights of Jews from Arab Lands*.

<http://www.justice.gov.il/MOJEng/Rights+of+Jews+from+Arab+Lands/> (Apr. 1, 2007)

⁴ Freedman, Samuel G., *Are Jews Who Fled Arab Lands to Israel Refugees, Too?* New York Times, Oct. 11, 2003.

<http://www.samueelfreedman.com/articles/jinterest/nyt10132003.html> (Mar. 31, 2007).

⁵ <http://www.samueelfreedman.com/articles/jinterest/nyt10132003.html> (Mar. 31, 2007).

⁶ <http://www.samueelfreedman.com/articles/jinterest/nyt10132003.html> (Mar. 31, 2007).

⁷ <http://www.samueelfreedman.com/articles/jinterest/nyt10132003.html> (Mar. 31, 2007).

⁸ Shenhav, Yehouda, *Arab Jews, Palestinian Refugees and Israel's Folly Politics*. (Distributed by email by David Shasha, posted on the website of University College Cork, Department of Computer Science, October, 2006).

<http://cosmos.ucc.ie/cs1064/jabowen/IPSC/articles/article0048400.html> (Apr. 1, 2007)

⁹ See Universal Declaration of Human Rights (1948), Art. 13(2): "Everyone has the right to leave any country, including his own, and to return to his country" and Art. 17: "No one shall be arbitrarily deprived of his property." Among many others, see also Fourth Geneva Convention, Art. 49(1), and Art. 33.

¹⁰ Palestinian Academic Society for the Study of International Affairs, *Palestinian Refugees*, Special Bulletin, Updated Edition, May 2004. Refugee populations estimated as of 1950.

¹¹ Justice for Jews from Arab Countries, *Jewish Refugees from Arab Countries: The Case for Rights and Redress*, undated, Population estimates as of 1948.