

# Palestinians: US refugee bill may delay peace

The Jerusalem Post, By Hilary Leila Krieger, Jpost Correspondent  
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## **Legislation would force State Department to differentiate between Palestinian refugees and descendants of refugees.**

WASHINGTON – Palestinian advocates are warning that a new US Senate amendment dictating a reporting requirement on the issue of Palestinian refugees could set back efforts to reach a peace deal.

The amendment to a bill, recently approved by the Senate Appropriations Committee, mandates that the secretary of state must report how many of the Palestinians serviced by the United Nations Relief and Works Agency fled or left homes in Israel during the War of Independence and how many are only their descendants.

“It’s very dangerous. It can have a very bad reaction on the ground,” said Ghaith Al- Omari, a former foreign policy advisor to Palestinian Authority President Mahmoud Abbas now with the American Task Force on Palestine. “It will just make any US ability to push for a responsible solution suspect in the eyes of the Palestinians and refugees in particular.”

Before committee passage, the amendment was weakened slightly from the original proposal by Republican Senator Mark Kirk of Illinois – which would have also mandated a count of how many of each category of Palestinians lived in the West Bank and Gaza as well as were citizens of another country – after objections from the Obama administration.

“This proposed amendment would be viewed around the world as the United States acting to prejudge and determine the status of this sensitive issue for decades,” wrote Deputy Secretary of State Tom Nides in a letter to the Senate Appropriations Committee urging it to reject the amendment.

“Final-status issues can and must only be resolved by the Israelis and Palestinians in direct negotiations,” he said, arguing that the amendment would hurt efforts to build confidence and encourage talks between the two parties.

Backers of the legislation, however, say the measure would do the opposite.

One GOP Senate aide said that puncturing the “UNRWA myth” of millions of refugees – as opposed to a much smaller number that were personally displaced between 1946 and 1948 – would help resolve what has been a major stumbling block in previous rounds of negotiations.

“In the end you will find a very manageable problem with practical solutions,” he said. “This is a dramatic stop in what has been maybe the thorniest and most difficult challenge to Middle East peace.”

But the New America Foundation’s Leila Hilal, who has served as a legal adviser on refugees to the Palestinian negotiating team, charged that the amendment was merely an attempt “to put pressure and preempt political negotiations” at a time when the Israeli and American governments had both warned the Palestinians against taking unilateral steps.

“Congress is engaging in a way and a place that it doesn’t belong,” she said.

But the Republican aide said that Congress was not only allowed but obligated to track where taxpayer money is spent, and this amendment was also an effort to “provide oversight” to the millions of dollars in funding the US provides UNRWA.

Jonathan Schanzer, who researches the Palestinians for the Foundation for Defense of Democracies, estimated that the number of living refugees who were displaced during the War of Independence was about 30,000 people, in contrast to the several million counted by UNRWA and cited in Nides’s letter.

“UNRWA provides essential services for approximately 5 million refugees,” Nides wrote, detailing some of the health, education and social services the UN agency provides.

Schanzer said it was significant that Nides spelled out a number of refugees that clearly also includes descendants.

“I guarantee the Palestinians will look at this letter and see it as US policy,” he said.

A State Department official, however, said that this language is the standard figure used in all public conversations the US has on the issue.

“Our position has always been that the descendants of refugees have always had refugee status,” in keeping with the UN designation for Palestinian refugees, which recognizes the descendants as refugees, he said. “Yes, these are in the second generation or third generation but are still considered refugees.”

Since the UN is the arbiter on who is serviced by UNRWA and legislation passed by Congress wouldn’t change that, Schanzer noted that it wouldn’t have any affect on the UN’s operations.

“What it does is set the stage for UN reform,” he said.

Presently, however, the bill hasn’t even become American law, as the measure hasn’t be approved by the House of Representatives let alone signed by President Barack Obama.

It remains a large question whether the legislation will be passed, as it is an amendment to an appropriations bill whose fate hinges on politics at a time of extreme gridlock in Congress and a presidential campaign.

But Schanzer said its passage by the Senate Appropriations Committee at least has a symbolic impact.

“The Palestinians have had an extended position on the right of return for years. No one’s questioned it,” he said.

“This shifts the center of gravity on the debate.”Palestinians say US Senate refugee amendment may further delay peace deal.