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Putting the right of return into practice

The right of return is not a dream, nor is it an abstract concept. Neither is it a hypothetical human right. Rather, return is a way to build a future that ensures justice, equality, non-discrimination and human rights for all. Therefore, it is necessary for us to envision how our return would look and what we must do to implement our right.



Right of Return and the approach for implementing it

Under international law, durable solutions for the plight of refugees include repatriation (return), integration in the host countries, or resettlement in a third country. The primary principle governing the three solutions is voluntariness (well informed and free individual refugee choice). Safe and dignified return of refugees to their homes is legally recognized as a right, and considered to be the optimal solution, especially in cases of dispossession and mass displacement.

The approach of putting return into practice in the context of the Palestinian-Israeli conflict goes beyond proving the right of return and demonstrating the feasibility of its implementation. Instead, it focuses on what needs to be done now to enable the Palestinian refugees to exercise their right of return, how to implement it, and the impact of return on human rights for all.

IDPs implement symbolic return to one of their depopulated villages, 29 April 2012 (©BADIL)



Models of work:

A case study: Back to al-Manshiyyeh - Jaffa

To put theory into practice, the neighborhood of al-Manshiyyeh in Jaffa was chosen to be the location for envisioning what the return of the original inhabitants and the reclamation of their property would look like. Displaced Palestinians from al-Manshiyyeh conducted a comprehensive survey of the neighborhood. Aiming to document the way it used to be before Zionist militias demolished it in 1948, all pictures and maps of al Manshiyyeh were collected. Contact was established with Palestinian refugees who were displaced from the neighborhood in 1948 with the goal to develop a practical outlook for the reconstruction and rehabilitation of the refugees should they return. Case studies like this are still a work in progress as they come in a broader context that deals with the development of future scenarios for the return of the Palestinian refugees.

More information about al Manshiyyeh can be found at the following link: http://zochrot.org/sites/default/files/ajami_booklet_web.pdf





Judge Siraj Dosieh in the court of Cape Town during the visit to South Africa, February 2012 (©BADIL)

Models of work:

Field visit to Cape Town, South Africa 2012

At the beginning of 2012, BADIL and Zochrot, in conjunction with the South African Kairos initiative, organized a field visit to study the city of Cape Town in South Africa. The purpose of the visit was to study mechanisms for the implementation of the return of the refugees and reparations in the post-Apartheid era, and draw comparisons to the Palestinian situation. Three central issues were discussed: a) working for return b) reparations for all damages, c) visions of a new state.

(See more here: <http://www.badil.org/ar/haq-alawda/item/1819-art18>)

Advocacy tours

BADIL, Zochrot, international NGOs and academic organizations organized joint advocacy and awareness tours in Europe and the United States. These tours presented the true narrative of the Palestinian Nakba, the rights of refugees and debunked Zionist propaganda. The tours engaged Western civil society through lectures at universities or community institutions, activist and human rights organizations, politicians, parliamentarians and others.



Depopulated Village of Lifta, Jerusalem. May 2011 (©BADIL)

Implementation of Return: the concept and program

Zionist and Israeli propaganda portrays the mere claim of a right of return as an act of aggression, anti-Semitic, targeting Jewish existence in Palestine and so forth. Israel went as far as to:

- Promote a culture that denies the Nakba (Catastrophe), the systematic displacement of and the rights of Palestinian refugees;
- Promote fear in the hearts and minds of young Jewish-Israelis who are taught to believe that the return of Palestinian refugees is synonymous with a new holocaust;
- Promote the idea of the impossibility of return - a common denominator to all Zionist political parties and individuals.

Since 2000, BADIL Resource Center and other groups began to contemplate ways to resist the Zionist propaganda, which promotes the rejection of the right of return. By 2003, it became clear that resisting that propaganda necessitates working in collaboration with other partners including Jewish-Israelis who reject the colonial project and work to challenge the Zionist mobilization of Israeli society.

The Practicalities of Return: BADIL's program and partners (2008-2013)

To develop a collaborative program, BADIL partnered with a number of Palestinian institutions throughout historic Palestine: the Israeli Zochrot organization as well as international organizations. The joint program is based on a common understanding of the fact that Israel is a racist colonial state, recognition of the rights of the Palestinians — particularly the right of return for the refugees — and the need to challenge the status quo by adopting a rights-based solution.

The program is unique in the sense that it exceeds traditional advocacy campaigns and activities, which usually stick to theoretical philosophizing, confirming abstract rights, or documentation of violations. The joint program deals with the most complex issues of the final solution (the right of return) as an applicable right and not as an abstract theory. Therefore, it works to lay the foundations and mechanisms for its implementation in a manner that ensures the legitimate human rights for all.

Activists from 'Zochrot' posting signs in the Palestinian depopulated villages. May 2008
(©Zochrot)



Models of action:

Comparative field visits

In partnership with Zochrot and other specialized institutions and researchers, BADIL organized field visits to several countries and regions. The visits aimed to compare various cases of displacement, refuge, and reparations to victims. The studies aimed to provide an opportunity to learn from the mechanisms that achieved return of refugees, recovery of their properties, and bringing about just and lasting peace in those countries.

Field visit to former Yugoslavia, 2009

The visit to former Yugoslavia achieved two goals. First, it was an opportunity to learn about the conflict in the former Yugoslavia, especially regarding displacement, return, and property restitution and reparations. Second, the development of an initial draft for a working paper which addressed the following issues: a) practical issues related to the mechanisms of return, b) property restitution, c) justice and reconciliation, d) rehabilitation and integration.

(See more here: <http://www.badil.org/ar/haq-alawda/item/1380-haq37-rep-01>)

A field visit during the tour in Bosnia. October 2010 (©BADIL)





A field visit during the Study Tour in South Africa, February 2012 (©BADIL)

The working mechanisms and tools

Each partner in this joint program targets its respective community. This choice enables easier access to various stakeholders. By virtue of specialization of each institution, BADIL's work focuses on research and legal advocacy, while the work of other institutions, especially those located within the Green Line such as the Israeli Zochrot organization, is to refute the Zionist narrative in Jewish-Israeli society and to promote the rights of Palestinian refugees.

The mechanisms and tools include:

- Exploratory visits such as to South Africa, Cyprus, and Bosnia and Herzegovina (see the following link: <http://www.badil.org/ar/comparative-study-visits>).
- Joint roundtables – study and discussion meetings and seminars surrounding the mechanisms of the return of refugees.
- Joint field studies such as Serbia-Kosovo, 2009 and South Africa, 2012.
- Advocacy tours such as speaking tours in Belgium and USA in 2008 during the 60th anniversary of the Nakba.
- Organizing or participating in conferences that advocate for the rights of refugees and their return.
- Preparation and dissemination of educational, media, and advocacy materials (such as BADIL's English al-Majdal Magazine issue No. 49, and issue No. 39 of BADIL's Haq Al-Awda Arabic magazine, recording testimonies of Zionist soldiers and officers who took part in the massacres of the Palestinian people in 1948, short films documenting oral history) in Arabic, Hebrew and other languages.



Zochrot commemorates the Nakba in Tel Aviv, 29 November 2008 (©ActiveStills)

Principles of the Return Approach:

- The right of return for Palestinian refugees is feasible;
- The implementation of the right of return for Palestinian refugees ensures their legitimate rights without causing displacement of Jewish-Israelis;
- The actual return of the Palestinian refugees does not aim to deprive Jewish-Israelis of their legitimate human rights;
- Return necessitates ending the racist colonial nature of Israel;
- Achieving durable peace and justice is impossible without enabling the Palestinian refugees to exercise their right of return.

Objectives of the Return Approach:

- Highlighting the Palestinian narrative of the ongoing Nakba in the face of the Zionist narrative and the Zionist movement as an ethnic cleansing project;
- Debunking the Zionist colonial ideology in order to help release Jewish Israelis from their fear of the 'other' and enable them to realize that their long-term interests depend on enabling refugees' right of return;
- Presenting the right of return for Palestinian refugees in a practical framework based on coexistence and inclusive reconciliation without compromising the legitimate rights of all;
- Providing practical plans for the actual return in order to live in peace, equality, nondiscrimination and with respect for human rights.

15 May 2011, Palestinian refugees from Syria cross a barbed wire fence on the border with Israel during the commemoration of the Nakba. (photo source: al-Ayyam)

