

114TH CONGRESS
2D SESSION

H. R. 4664

To direct the President to submit to Congress a report on actions the Department of State and other relevant Federal departments and agencies have taken regarding steps to ensure that a just, comprehensive Arab-Israeli peace accord also finds resolution of the issue of Jewish refugees from Arab countries and Iran.

IN THE HOUSE OF REPRESENTATIVES

MARCH 2, 2016

Mr. NADLER (for himself, Ms. ROS-LEHTINEN, Mr. ENGEL, Mr. POE of Texas, Ms. SCHAKOWSKY, Ms. WASSERMAN SCHULTZ, Mr. GRAYSON, Ms. VELÁZQUEZ, Mr. LOWENTHAL, Mr. TED LIEU of California, Ms. MENG, Mr. O'ROURKE, Mr. CHABOT, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. KING of New York, and Mr. DONOVAN) introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To direct the President to submit to Congress a report on actions the Department of State and other relevant Federal departments and agencies have taken regarding steps to ensure that a just, comprehensive Arab-Israeli peace accord also finds resolution of the issue of Jewish refugees from Arab countries and Iran.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Displaced Jewish Refu-
3 gees from Arab Countries and Iran Act”.

4 **SEC. 2. FINDINGS.**

5 Congress finds the following:

6 (1) Armed conflicts in the Middle East have
7 created refugee populations numbering in the mil-
8 lions and comprised of peoples from many ethnic, re-
9 ligious, and national backgrounds.

10 (2) Jews have lived mostly as a minority in the
11 Middle East, North Africa, and the Persian Gulf re-
12 gion for more than 2,500 years.

13 (3) The United States has long voiced its con-
14 cern about the mistreatment of minorities and the
15 violation of human rights in the Middle East and
16 elsewhere.

17 (4) The United States continues to play a piv-
18 otal role in seeking an end to the Arab-Israeli con-
19 flict in the Middle East and to promoting a peace
20 that will benefit all the peoples of the region.

21 (5) United States administrations historically
22 have called for a just solution to the Palestinian ref-
23 ugee issue.

24 (6) The Palestinian refugee issue has received
25 considerable attention from countries of the world

1 while the issue of Jewish refugees from the Arab
2 and Muslim worlds has received very little attention.

3 (7) A comprehensive peace in the region will re-
4 quire the resolution of all outstanding issues through
5 bilateral and multilateral negotiations involving all
6 concerned parties.

7 (8) Approximately 850,000 Jews were displaced
8 from Arab countries and Iran since the declaration
9 of the State of Israel in 1948.

10 (9) The United States has demonstrated inter-
11 est and concern about the mistreatment, violation of
12 rights, forced expulsion, and expropriation of assets
13 of minority populations in general, and, in par-
14 ticular, former Jewish refugees displaced from Arab
15 countries as evidenced, among other things, by—

16 (A) the Memorandum of Understanding
17 signed by President Jimmy Carter and Israeli
18 Foreign Minister Moshe Dayan on October 4,
19 1977, which states that “[a] solution of the
20 problem of Arab refugees and Jewish refugees
21 will be discussed in accordance with rules which
22 should be agreed”;

23 (B) after negotiating the Camp David Ac-
24 cords, the Framework for Peace in the Middle
25 East, the statement by President Jimmy Carter

1 in a press conference on October 27, 1977, that
2 “Palestinians have rights . . . obviously there
3 are Jewish refugees . . . they have the same
4 rights as others do”; and

5 (C) in an interview after Camp David II in
6 July 2000, at which the issue of Jewish refu-
7 gees displaced from Arab lands was discussed,
8 the statement by President Clinton that “There
9 will have to be some sort of international fund
10 set up for the refugees. There is, I think, some
11 interest, interestingly enough, on both sides, in
12 also having a fund which compensates the
13 Israelis who were made refugees by the war,
14 which occurred after the birth of the State of
15 Israel. Israel is full of people, Jewish people,
16 who lived in predominantly Arab countries who
17 came to Israel because they were made refugees
18 in their own land.”.

19 (10) On April 1, 2008, the House of Represent-
20 atives passed House Resolution 185, expressing the
21 sense of the House of Representatives that—

22 (A) for any comprehensive Middle East
23 peace agreement to be credible and enduring,
24 the agreement must address and resolve all out-
25 standing issues relating to the legitimate rights

1 of all refugees, including Jews, Christians, and
2 other populations, displaced from countries in
3 the Middle East; and

4 (B) the President should instruct the
5 United States Representative to the United Na-
6 tions and all United States representatives in
7 bilateral and multilateral fora to—

8 (i) use the voice, vote, and influence
9 of the United States to ensure that any
10 resolutions relating to the issue of Middle
11 East refugees, and which include a ref-
12 erence to the required resolution of the
13 Palestinian refugee issue, must also in-
14 clude a similarly explicit reference to the
15 resolution of the issue of Jewish refugees
16 from Arab countries; and

17 (ii) make clear that the United States
18 Government supports the position that, as
19 an integral part of any comprehensive
20 Arab-Israeli peace, the issue of refugees
21 from the Middle East, North Africa, and
22 the Persian Gulf must be resolved in a
23 manner that includes recognition of the le-
24 gitimate rights of and losses incurred by
25 all refugees displaced from Arab countries,

1 including Jews, Christians, and other
2 groups.

3 (11) The international definition of a refugee
4 clearly applies to Jews who fled the persecution of
5 Arab regimes and Iran, where a refugee is a person
6 who “owing to a well-founded fear of being per-
7 secuted for reasons of race, religion, nationality,
8 membership of a particular social group, or political
9 opinion, is outside the country of his nationality, and
10 is unable to or, owing to such fear, is unwilling to
11 avail himself of the protection of that country” (the
12 1951 Convention relating to the Status of Refugees).

13 (12) On January 29, 1957, the United Nations
14 High Commissioner for Refugees (UNHCR), deter-
15 mined that Jews fleeing from Arab countries were
16 refugees who fell within the mandate of the
17 UNHCR.

18 (13) Dr. E. Jahn of the Office of the United
19 Nations High Commissioner stated in a UNHCR
20 declaration, on July 6, 1967: “I refer to our recent
21 discussion concerning Jews from Middle Eastern
22 and North African countries in consequence of re-
23 cent events. I am now able to inform you that such
24 persons may be considered prima facie within the
25 mandate of this Office.”.

1 (14) Israel's agreements with Egypt, Jordan,
2 and the Palestinians have affirmed that a com-
3 prehensive solution to the Arab-Israeli conflict will
4 require a just solution to the plight of all refugees.

5 (15) Israel has adopted multiple government
6 decisions affirming its long-standing position in sup-
7 port of the rights and claims of Jewish refugees
8 from Arab countries and Iran.

9 (16) In February 2010, the Israeli Knesset
10 adopted a law preserving the rights for compensa-
11 tion for Jewish refugees who originated from Arab
12 countries and Iran. According to this law, the Israeli
13 government and its prime minister are instructed to
14 raise the issue of compensation for private and com-
15 munal property during negotiations.

16 (17) The initiative to secure rights and redress
17 for Jews who were forced to flee Arab countries and
18 Iran does not conflict with the right of Palestinian
19 refugees to claim redress.

20 (18) All countries should be aware of the plight
21 of Jews and other minority groups displaced from
22 countries in the Middle East, North Africa, and the
23 Persian Gulf.

24 (19) An international campaign has been pro-
25 ceeding in numerous countries, including the United

1 States, to record the history and legacy of Jewish
2 refugees from Arab countries and Iran.

3 (20) Media reports have indicated that the
4 framework that Secretary of State John Kerry has
5 proposed for the negotiations between the Israelis
6 and Palestinians includes a proposal for compensa-
7 tion for Jewish refugees.

8 **SEC. 3. STATEMENTS OF POLICY.**

9 Congress makes the followings statements of policy:

10 (1) A just, comprehensive Arab-Israeli peace
11 cannot be reached without addressing the uprooting
12 of centuries-old Jewish communities in the Middle
13 East, North Africa, and the Persian Gulf.

14 (2) As a matter of law and equity, history re-
15 veals that there were two large refugee popu-
16 lations—Arabs and Jews—that were precipitated
17 just before, during, and after the Arab-Israeli War
18 in 1948.

19 (3) It would be fundamentally unfair for the
20 United States to recognize rights for one popu-
21 lation—Palestinian refugees—without recognizing
22 equal rights for other refugees from that very same
23 Middle East conflict—former Jewish, Christian and
24 other refugees from Arab countries and Iran.

1 (4) Any United States Government statements
2 that include a reference to the required resolution of
3 the Palestinian refugee issue, such as at the United
4 Nations or as part of the Middle East Quartet, must
5 also include a similarly explicit reference to the reso-
6 lution of the issue of Jewish refugees from Arab
7 countries and Iran.

8 **SEC. 4. REPORT.**

9 (a) IN GENERAL.—Not later than 1 year after the
10 date of the enactment of this Act, and annually thereafter,
11 the President shall submit to Congress a report on actions
12 the Department of State and other relevant Federal de-
13 partments and agencies have taken relating to the resolu-
14 tion of the issue of Jewish refugees from Arab countries
15 and Iran with respect to the preceding year.

16 (b) MATTERS TO BE INCLUDED.—The report re-
17 quired by subsection (a) shall include a description of the
18 following:

19 (1) Actions in bilateral and multilateral fora to
20 address the issue of rights for Jewish refugees from
21 Arab countries, as expressed by the House of Rep-
22 resentatives in paragraph (2) of the first section of
23 House Resolution 185 (as passed the House of Rep-
24 resentatives on April 1, 2008) and described in sec-
25 tion 2(10)(B) of this Act.

1 (2) Measures to help ensure that the interests
2 of Jews displaced from Arab countries and Iran are
3 considered in any final settlement of the Middle
4 East refugee question that is part of any com-
5 prehensive Arab-Israeli peace. Such measures shall
6 include statements on the issue and reports to the
7 Middle East Quartet.

8 (3) Efforts to make certain the interests of all
9 refugees displaced as a result of the Arab-Israeli
10 conflict, including Arabs, Jews, Christians, and
11 other groups, are considered in any final settlement
12 of the Middle East refugee question that is part of
13 any comprehensive Arab-Israeli peace.

14 (c) FORM.—The report required under subsection (a)
15 shall be submitted in unclassified form, but may contain
16 a classified annex if necessary.

17 (d) TERMINATION.—The requirement to submit to
18 Congress the report under subsection (a) shall terminate
19 on the date on which the President certifies to Congress
20 that an agreement has been agreed to between the parties
21 to resolve the issues described in paragraphs (1), (2), and
22 (3) of subsection (b).

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