

118TH CONGRESS
1ST SESSION

H. RES. 388

Recognizing the ongoing Nakba and Palestine refugees rights.

IN THE HOUSE OF REPRESENTATIVES

MAY 10, 2023

Ms. TLAIB (for herself, Ms. OMAR, Ms. MCCOLLUM, Mr. BOWMAN, Ms. OCASIO-CORTEZ, and Ms. BUSH) submitted the following resolution; which was referred to the Committee on Foreign Affairs

RESOLUTION

Recognizing the ongoing Nakba and Palestine refugees rights.

Whereas May 15, 2023, is the 75th commemoration of the Palestinian Nakba, meaning “catastrophe” in English, a term which refers to Israel’s uprooting, dispossession, and exile of the Palestinian people from their homeland, and Israeli politicians are increasingly threatening Palestinians with a second Nakba today;

Whereas the Nakba is the root cause of the issues that continue to divide Israel and the Palestinian people today, and a just and lasting peace cannot be established without addressing the Nakba and remedying its injustices toward the Palestinian people;

Whereas the Nakba is not only a historical event, but also an ongoing process characterized by Israel’s separate-and-

unequal laws and policies toward Palestinians, including the destruction of Palestinian homes, the construction and expansion of illegal settlements, and Israel's confinement of Palestinians to ever-shrinking areas of land;

Whereas, during the Nakba, Israel forcibly exiled or caused to flee for their lives under duress of military campaigns, which frequently included massacres and other atrocities committed against civilians, at least 750,000 Palestinians (approximately 75 percent of the indigenous population that had lived in areas that became Israel), who became refugees;

Whereas, by 1949, Israel had depopulated and destroyed more than 400 Palestinian villages and cities, often demolishing all homes and other buildings, planting forests over them, or confiscating and expropriating Palestinian property to give to Jewish Israelis;

Whereas the United States voted in favor of United Nations General Assembly Resolution 194 on December 11, 1948, which states that Palestinian "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";

Whereas Palestinian refugees right of return is not only stipulated in a General Assembly resolution, but is also anchored in international law and in Article 13 of the Universal Declaration of Human Rights, which states that, "Everyone has the right to leave any country, including his own, and to return to his country.";

Whereas, on December 8, 1949, the United Nations General Assembly adopted Resolution 302 establishing the United Nations Relief and Works Agency for Palestine Refugees in the Near East, which the United States has financially supported on an almost continuous basis since its establishment;

Whereas international law also recognizes that descendants of refugees retain their rights as refugees, and that according to the United Nations, “Palestine refugees are not distinct from other protracted refugee situations such as those from Afghanistan or Somalia, where there are multiple generations of refugees, considered by UNHCR as refugees and supported as such. Protracted refugee situations are the result of the failure to find political solutions to their underlying political crises.”;

Whereas a just and lasting resolution to the Palestinian-Israeli issue requires respect for and the implementation of Palestine refugee rights as enshrined in United Nations General Assembly Resolution 194 and the Universal Declaration of Human Rights;

Whereas the United States Congress enacted the Elie Wiesel Genocide and Atrocities Prevention Act of 2018 (Public Law 115–441) mandating the President to identify, monitor, and report on potential and ongoing atrocities, and to develop policies and programs to improve the United States response, and noting that it is the policy of the United States to “regard the prevention of atrocities as in its national interest”;

Whereas Israeli politicians are increasingly threatening a second Nakba against the Palestinian people, as did, for instance, former Deputy Minister of Religious Affairs Matan Kahan, who stated on June 14, 2022, “If there

was a button that could be pressed and all the Arabs could disappear—get on an express train to Switzerland, I would push it.”, and as did Jerusalem city council member Yonatan Yosef, who led chants of, “We Want Nakba Now!” during a provocative march through occupied Palestinian East Jerusalem on January 13, 2023;

Whereas, on December 29, 2022, Israel formed its most extremist government to date, which includes in its cabinet Bezalel Smotrich, who previously stated to Palestinian citizens of Israel in Israel’s parliament, “You’re here by mistake, it’s a mistake that [Israeli Prime Minister David] Ben-Gurion didn’t finish the job and didn’t throw you out in 1948.”;

Whereas, after Israeli settlers committed a pogrom in the Palestinian West Bank village of Huwara on February 26, 2023, in which settlers killed one Palestinian, injured more than 100 others, and set fire to hundreds of houses, Smotrich also stated on March 1, 2023, that “I think the [Palestinian] village of Huwara needs to be wiped out. I think the State of Israel should do it.”;

Whereas, since its formation, the current Israeli Government has intensified its violent military rule over the Palestinian West Bank, has increased the scope of its illegal settlements there, has taken steps to de jure annex the Palestinian West Bank through the transfer of the Coordinator of Government Activities in the Territories from military to civilian responsibility, and has advanced legislation to undermine the independence of Israel’s judiciary; and

Whereas the United States is complicit in Israel’s ongoing Nakba against the Palestinian people by providing Israel with weapons and diplomatic support even as it advances

plans to destroy more Palestinian homes and forcibly remove more Palestinians from their land in places such as Sheikh Jarrah, Silwan, and Masafer Yatta, and is also currently advancing plans to build a diplomatic facility in Jerusalem on land that Israel expropriated from Palestinian refugees, including United States citizens: Now, therefore, be it

1 *Resolved*, That it is the sense of the House of Rep-
2 resentatives that it is the policy of the United States to—

3 (1) commemorate the Nakba through official
4 recognition and remembrance;

5 (2) reject efforts to enlist, engage, or otherwise
6 associate the United States Government with denial
7 of the Nakba;

8 (3) encourage education and public under-
9 standing of the facts of the Nakba, including the
10 United States role in the humanitarian relief effort
11 and the relevance of the Nakba to the modern-day
12 refugee crises;

13 (4) continue to support the provision of social
14 services to Palestine refugees through the United
15 Nations Relief and Works Agency for Palestine Ref-
16 ugees in the Near East;

17 (5) support the implementation of Palestinian
18 refugees' rights as enshrined in United Nations Gen-
19 eral Assembly Resolution 194 and the Universal
20 Declaration of Human Rights;

1 (6) condemn all manifestations of Israel’s ongoing
2 ing Nakba against the Palestinian people, including—
3 ing—

4 (A) Israel’s illegal theft of Palestinian land
5 in the West Bank, including East Jerusalem;

6 (B) Israel’s displacement of Palestinians
7 by destroying their homes and forcing them
8 from their land; and

9 (C) the daily brutality and violence inflicted
10 by the Israeli military and Israeli settlers
11 against Palestinian civilians;

12 (7) request from the President the application
13 of the Elie Wiesel Genocide and Atrocities Prevention
14 Act of 2018 (Public Law 115–441) to the treatment
15 of Palestinians by Israel (both state and
16 nonstate actors), including—

17 (A) a report on the situation in the mandated
18 annual reporting to the Congress;

19 (B) training for United States Foreign
20 Service Officers stationed in the United States
21 Embassy to Israel per section 4 of such Act and
22 section 4028(d) of title 22, United States Code;
23 and

24 (C) supporting and protecting Palestinian
25 and Israeli civil society groups and human

1 rights defenders working to monitor, document,
2 prevent, and respond to atrocities;

3 (8) denounce as incitement all threats, either
4 implicit or explicit, by Israeli politicians to commit
5 a second Nakba, or to finish what Israel began in
6 1948, or similar such statements; and

7 (9) ensure the United States ends its complicity
8 in Israel's ongoing Nakba against the Palestinian
9 people by—

10 (A) prohibiting United States weapons
11 from being used to destroy Palestinian homes
12 and forcibly removing Palestinians from their
13 land;

14 (B) ending United States diplomatic sup-
15 port for such actions; and

16 (C) refraining from building any diplo-
17 matic facility on land expropriated by Israel
18 from Palestinian refugees, including United
19 States citizens.

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