

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.

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## 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

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## 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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