

## NO RIGHT OF RETURN

Sir, — There is a persistent discussion in the media and in speeches by Palestinian spokesmen about what is called a "right of return."

This point should not need much discussion for the simple reason that no such "right" exists. The very term "right of return" has never featured in an internationally binding document.

Insofar as Israel is concerned, its status is governed by Resolution 273(III) of the General Assembly (May 11, 1949) dealing with admission to the United Nations and "taking note of the declarations and explanations of the representative of the Government of Israel before the *ad hoc* Political Committee of the General Assembly." This is the only occasion on which the admission of a state has been related to speeches by an applicant. In those "declarations and explanations," I made it clear that the admission of refugees was a matter for Israel's sovereign discretion and was not subject to legal constraints.

Membership in the United Nations is based on the principle of the

"sovereign equality of all its members." This means that Israel's control of entry to its territory is equivalent to that of the United States, the USSR, Egypt or any of the other 150 and more member states.

In December 1948, the General Assembly of the United Nations made a recommendation about the return of refugees, but this was described as a matter subject to "permission," not as a matter of "right." Moreover, on February 24, 1947, the permanent members of the Security Council determined that a General Assembly resolution does not create international obligations. All the Arab states concurred in this finding.

The conclusion is that entry into Israel is something that individuals or groups outside Israel have a right to request and that Israel has a sovereign right to accept or reject.

What I have written here applies to all territories in which Israeli law and jurisdiction are or will be in force.

Herzliya.

ABBA EBAN