

The principles of restitution and compensation have long been a part of international law. U.N. Resolution 194 often cited for the existence of the right to restitution, simply reaffirmed pre-existing law. State practices have reaffirmed the right to restitution and compensation, as have various decisions of international bodies such as the European Court of Human Rights and the Inter-American Court of Human Rights.

Mr. Lynk believes that as the land and area are well documented, it would be possible to compensate the refugees in the Middle East. He finds that compensation based on fairness and equity will help with the longer-term reconciliation of the people and will set a valuable precedent. The challenge is that over 30 million Palestinian refugees need a just peace based on fair aspirations of all parties, with a remedy of restitution and compensation that must be both forward and backward looking.

4. CONCLUSIONS/RECOMMENDATIONS

- Canada should emphasize the positive aspects of immigration, including both multiculturalism and tolerance.
- To address Canadian frustrations with the refugee system there must be better ways must be developed to test the credibility of the claimants and to keep one step ahead of incoming system-abusers.
- Canada should support a remedy of restitution or compensation based on fairness and equity for the refugees in the Middle East.