

The following submission pertains to the Commission of Inquiry topics of:

- *“Identification of those responsible.”*
- *“Underlying root causes of recurrent tensions, instability and protraction of conflict in and between the Occupied Palestinian Territory, including East Jerusalem, and Israel; as well as systematic discrimination and repression based on national, ethnic, racial or religious identity.”*
- *“Facts and circumstances regarding alleged violations of international humanitarian law and alleged violations and abuses of international human rights law leading up to and since 13 April 2021.”*

A brief background about myself: My name is Elisheva Weiss (aka Jessica-Eli Weiss). I am a Jew. My heritage is Judean. I believe in the right of the Jewish nation to self-determination in their indigenous homeland: Zion. Zionism does not preclude the rights of other nations to self-determination. The history of my people (that of the 12 tribes of Israel) highlights our perseverance. Jews have endured millennia of oppression, pogroms, violent persecution and hatred. I have worked in the film and television industry since 2008. I am a member of IATSE Local 764 Theatrical Wardrobe Union. I am an American taxpayer who does not approve of my taxes being used to fund the United Nations *Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel inquiry*. The United Nation’s Commission of Inquiry on Israel is just another reminder that history repeats itself and that antisemitism knows no bounds. If one understands the millennia of Jewish history, it is apparent that hateful false rhetoric cannot be left to fester unchecked. Antisemitism is an infectious poison that pollutes the minds of the masses and the behavior of humanity.

The United Nations (UN) has its own published guideline titled *Putting Ethics to Work* which delineates the oath of ethical behavior expected from UN staff. Among this ethical framework, standards such as “independence” and “impartiality” are highlighted. The UN’s *resolution 5/1* as well as the UN’s *Code of Conduct for Special Procedure Mandate-holders* detail the paramount criteria for the selection and appointment of individuals or groups to Special Procedures Mandates. Such an example is the newly created United Nations’ *Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel inquiry*. Both of the aforementioned UN policy guidelines highlight the essential criteria of “independence”, “impartiality” and “objectivity”.

Navanethem “Navi” Pillay was assigned by the UN Human Rights Council (UNHRC) as the chair of the Commission of Inquiry on “the Occupied Palestinian Territory, including East Jerusalem, and Israel” (UNHRC, 2021). However, Judge Pillay has a clear track record of anti-Israel bias. Judge Pillay has supported the false comparison of apartheid in South Africa to Israel. Based on this flawed comparison alone, Judge Pillay should never have been appointed to chair this COI. Please watch Judge Pillay, in her own words, to understand that her appointment clearly does not meet the UN criteria of independence, impartiality and objectivity:

<https://www.youtube.com/watch?v=6sIEfCf1Dhs>. How can Judge Pillay, who in 2017 posited that “apartheid is now being declared a crime against humanity in the Rome Statute and that means the enforced segregation of people along racial lines and that is happening in Israel” be deemed as objective? (Lazaroff, 2022). Judge Pillay has attended and expressed her support of the Durban Conferences, which have consistently been infected with antisemitic rhetoric such as the false narrative of apartheid in Israel.

Pertaining to the topic of “*Identification of those responsible*”, please reference this paper by UN Watch which details why Judge Pillay must recuse herself from the COI on Israel:

- <https://unwatch.org/wp-content/uploads/2022/02/Request-for-Navi-Pillay-to-Recuse-Herself-on-Grounds-of-Bias.pdf>

Pertaining to the topic of “*Identification of those responsible*”, please refer to this paper by NGO Monitor which highlights Judge Pillay’s conflicts of interest, as well as the two other members serving on this COI panel: Chris Sidoti & Miloon Kothari:

- <https://www.ngo-monitor.org/reports/anti-israel-bias-and-ngo-links-of-unhrcs-gaza-committee-of-inquiry-me>

The Commission of Inquiry will undoubtedly receive submissions of false accusations of apartheid against Israel to support the inquiry’s outlined task of establishing “root causes of the conflict”, “abuses and crimes” and “discrimination and repression based on national, ethnic, racial or religious identity” (UNHRC, 2021). Recently Non-Government Organizations (NGO) such as Human Rights Watch (HRW) and Amnesty International (AI) published misleading reports accusing Israel of engaging in the “crime of apartheid” (HRW, 2021) (AI, 2022). Both HRW and AI have a history of bias in their reporting on matters pertaining to Israel. For example, Agnes Callamard, the new secretary general of AI has repeatedly posted baseless tweets against Israel, igniting a sea of misinformation. For example, in 2013 Callamard posted the following tweet: “NYT Interview of Shimon Peres where he admits that Yasser Arafat was murdered. # Israel” (Davenport, 2021). Arafat died in a French hospital in 2004. AI issued a statement acknowledging that Callamard’s tweet was false and written in haste (Davenport, 2021).

Apartheid in South Africa was a series of legalized discriminatory government sponsored policies of segregation based on race. HRW and AI both strategically manipulate the term apartheid to suit their false narrative. Instead, both HRW and AI discuss the “crime of apartheid”. This new application of “the crime of apartheid” term broadens the actual meaning of apartheid, ultimately misleading the public about Israeli policies and the reality of those who endured apartheid in South Africa. HRW’s and AI’s newly crafted and use of the term “crime of apartheid” is derived from selective texts from the 1973 United Nations General Assembly’s (UNGA) *International Convention on the Suppression and Punishment of the Crime of Apartheid* (Apartheid Convention) and selective portions of the Rome Statute. Of note is that only about half of the countries around the globe signed onto the UNGA document, excluding all

modern liberal democracies (i.e. France, Canada, Australia etc.) and many countries including the United States of America oppose the Rome Statue (Pomerantz, 2021). HRW's and AI's broad definition and use of the term "crime of apartheid" is solely applied to "Jewish Israeli's over Palestinians across Israel and in the OPT" (OPT = occupied Palestinian territories) (HRW, 2021). HRW explains that "The crime of apartheid under the Apartheid Convention and Rome Statute consists of three primary elements: an intent to maintain a system of domination by one racial group over another; systematic oppression by one racial group over another; and one or more *inhumane acts*, as defined, carried out on a widespread or systematic basis pursuant to those policies. Among the inhumane acts identified in either the Convention or the Rome Statute are "forcible transfer," "expropriation of landed property," "creation of separate reserves and ghettos," and denial of the "the right to leave and to return to their country, [and] the right to a nationality." (HRW, 2021). HRW and AI include crimes against humanity in their definition of the "crime of apartheid" (HRW, 2021) (AI, 2022). However, while apartheid could be considered a crime against humanity, not all crimes against humanity constitute apartheid. HRW and AI also fail to acknowledge and include in their respective reports the existential security threats Israeli citizens face from Hamas, the Palestinian Authority (PA), Palestinian terrorists and its surrounding neighbors (i.e. Iran). Existential security threats against Israel ultimately influence Israeli policies. Please keep in mind that Israeli policies are determined by its government which includes Arab Israelis. AI even admits to its revision of apartheid by stating that it "does not seek to argue that, or assess whether, any system of oppression and domination as perpetrated in Israel and the OPT [Occupied Palestinian Territories] is, for instance, the same or analogous to the system of segregation, oppression and domination as perpetrated in South Africa between 1948 and 1994." (AI, 2022) (Koningsveld, 2022). Please read the following post by British barrister Joshua Kern. Kern's post dives further into the glaring flaws in HRW's and AI's crafted definition of the "crime of apartheid":

<https://www.ejiltalk.org/uncomfortable-truths-how-hrw-errs-in-its-definition-of-israeli-apartheid-what-is-missing-and-what-are-the-implications/>

Jews are a nation, a culture, a people (many of whom hold religious beliefs). Jews are not a race but rather an ethnoreligious group who are not confined by any color. Modern day Palestinians (a classification I will explain in more depth shortly) are also not a race. Apartheid in South Africa was segregation based on race. Thus, the application of apartheid to Jewish Israelis and Palestinians is not apropos. If one desires to expand on the term apartheid (please note that I do not believe anyone has the authority to reframe the meaning of apartheid since it diminishes the experiences of those who endured apartheid) beyond race to include ethnic groups, once again, its application to Jewish Israelis and Palestinians and/or Arab Israelis is moot. Israel is not an apartheid state. All Israeli citizens whether they be Arab, Jewish, Druze, Sudanese, Ethiopian, LGBTQ+ etc., all enjoy equal rights in Israel. All Israelis enjoy religious freedom. No one is barred from universities or holding any job they seek. To this effect it should be noted that the third largest coalition in the Israeli parliament is the Arab coalition: the Arab Ra'am Party. Omar

Barghouti, a founding member of the Boycott, Divestment and Sanctions (BDS) movement who was born in Qatar to a Palestinian family attained his MA in philosophy in Israel at Tel Aviv University (Golomb, 2018). In contrast, Palestinians in Lebanon do experience distinct discriminatory government sanctioned policies whereby Palestinians are barred from owning land and holding certain jobs. Unfortunately, this reality is given little to no attention. The primary objective of those wielding accusations of apartheid against Israel is not to improve the lives of Palestinians, but rather to use the Palestinians as a prop to demonize Israel. In 2011, George Karra, an Arab Israeli Supreme Court Justice sentenced the former Israeli President Moshe Katsav to seven years in prison. This year, in 2022, a Muslim judge was appointed to Israel's Supreme Court. Arab Israelis (along with all its diverse citizens: Druze, Christian, Sudanese, Ethiopian, LGBTQ+ etc.) are an integral and active part of Israeli society, and their experiences do not remotely resemble those of "non-whites" in South Africa during apartheid.

Palestinian nationalism as we understand it today (which I will refer to as modern-day Palestinians) was born in the 1960s during the years of Yasser Arafat and in conjunction with the creation of the Palestinian Liberation Organization (PLO). This does not delegitimize Palestinian nationalism, but it doesn't legitimize false claims against Israel (i.e. apartheid) and calls for Israel's annihilation. Prior to 1948, the term Palestinian was used to refer to Jews in the region. Arabs in the region at that time considered themselves as belonging to Greater Syria (Litvak, 2009) (Hertz, n.d.). Thus, the use of the term Palestinian can be quite misleading in various contexts. As per the 1919 first Arab Congress meeting, in response to the Zionist movement (the movement of Jews to achieve self-determination and not be at the mercy of outside nations), one of the resolutions drafted noted that "We consider Palestine nothing but part of Arab Syria and it has never been separated from it at any stage. We are tied to it by national, religious, linguistic, moral, economic, and geographic bounds." (Litvak, 2009). Zahir Muhsein, an executive Committee member of the PLO stated in a 1977 interview with the Dutch newspaper Trouw that "The Palestinian people do not exist. The creation of a Palestinian state is only a means for continuing our struggle against the state of Israel for our Arab unity. In reality today there is no difference between Jordanians, Palestinians, Syrians and Lebanese. Only for political and tactical reasons do we speak today about the existence of a Palestinian people, since Arab national interests demand that we posit the existence of a distinct 'Palestinian people' to oppose Zionism." (Hammond, 2010). Auni Bey Abdul-Hadi stated at the Peel Commission of 1937 that "There is no such country [as Palestine]! 'Palestine' is a term the Zionists invented! There is no Palestine in the Bible. Our country was for centuries part of Syria." (Hertz, n.d.)

It has been Israel alone who has aided the modern-day Palestinians in their quest for self-determination and statehood. Following the War of Independence in 1948, when the surrounding Arab armies attacked the newly re-established State of Israel with the intent of total annihilation, Egypt took control of Gaza and Jordan seized control of Judea and Samaria (which Jordan renamed as the West Bank) and Jerusalem. Not once from 1948-1967 did Egypt nor Jordan ever

attempt to create a sovereign Palestinian state, nor were there calls to do so...WHY? Because the concept of Palestinian nationalism as we understand it today did not yet exist.

During the Oslo Accords, with the understanding of the modern Palestinian national identity, Israel worked together with Palestinian leadership to establish Palestinian autonomy. The Palestinian leadership and Israel agreed to the division of the West Bank/Judea/Samaria into Areas A, B & C. The PA was given complete governing control of Areas A & B (though security is jointly shared in Area B between the PA and the Israeli Defense Forces) while Israel was given complete control of Area C. In 2005, in a quest to achieve enduring peace with Palestinians, Israel withdrew unilaterally from Gaza and forcefully removed every Jew who had legally purchased land in Gaza. Thus, beginning in 2005, Palestinians also became autonomous in Gaza and are now governed by Hamas, not Israel.

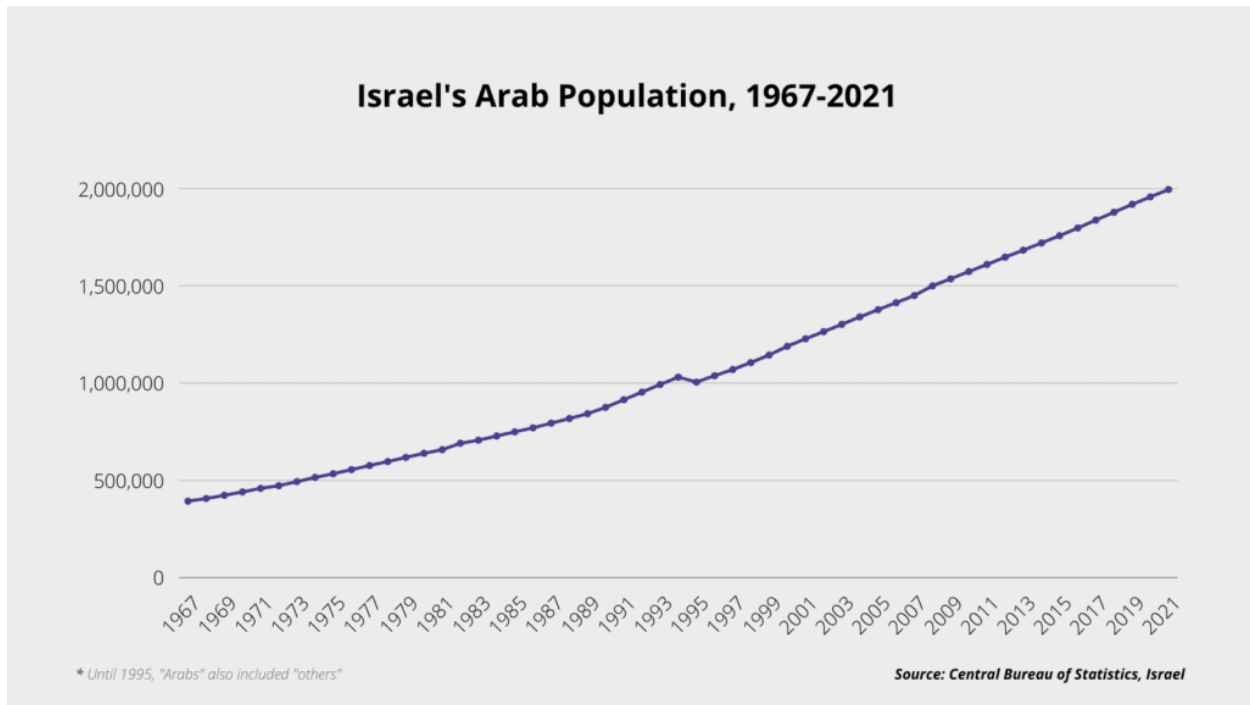
HRW and AI espouse the discriminatory treatment of Jewish Israelis and the Israeli government against Palestinians in what they refer to as the OPT. However, the Palestinian Authority governs its Palestinian constituents in Areas A & B, as agreed upon during Oslo II. Hamas governs its Palestinian and Gazan constituents in Gaza. Different policies exist for Palestinians in the PA and Hamas controlled territories because those territories are not governed by Israel. Israeli laws do not apply to Palestinians in Israel because, as per their efforts to be a distinct autonomous nation, Palestinians are not Israeli citizens. Palestinians sought distinct autonomy and have achieved their objective. Similarly, Israelis citizens do not have the same civil rights as Palestinians in Areas A or B of the West Bank/Judea/Samaria and Gaza. A Canadian citizen in America would not have access to the same healthcare benefits as an American citizen and vice versa. Similarly, Palestinians and Israelis do not benefit from the same offerings of their respective governments. Of note is that Palestinians who do live in Israel are granted Israeli residency permits and are provided with the benefits extended through those residency permits including health and education benefits. Furthermore, while Palestinians are permitted into Israel with necessary permits (visa and permit requirements are not an exclusive concept to Israel) and in some cases granted Israeli citizenship if sought, the PA and Hamas do not permit Jews into Area A of the West Bank/Judea/Samaria nor into Gaza. According to PA law, selling land to a Jew is punishable by death. Interestingly, the blatant discriminatory policies and violent rhetoric of the Palestinian leadership against Jews is not discussed by HRW or AI and is given little to no attention by the UNHRC.

On July 23rd, 2014, Judge Pillay serving as the UN High Commissioner for Human Rights, issued a statement to the Human Rights Council 21st Special Session regarding the conflict between Gaza and Israel. Once again, Judge Pillay's own words clearly define her bias and lack of objectivity towards Israel. Of the approximate 214 lines statement, about 13 lines somewhat support and/or defend the Israeli position, while the remaining statement is centered around defining Israel as a human rights abuser with no regard for civilian life in Gaza (Pillay, 2014).

The language Judge Pillay uses throughout the statement is also rife with bias. For example, Judge Pillay used phrases such as “the occupied Gaza Strip” as well as “the occupied West Bank, including East Jerusalem” (Pillay, 2014). As discussed earlier, Israel unilaterally withdrew from Gaza in 2005 as a gesture of achieving enduring peace with those who identify as Palestinian and sought self-determination. In 2014, Hamas governed Gaza, not Israel. How exactly then could Gaza be considered as “occupied” by Judge Pillay? Occupied by whom? Of note is that the UNHRC’s resolution to establish this COI into Israel also uses the same biased terminology of the “occupied Palestinian Territory, including East Jerusalem, and Israel”, deeming its very inception as counter to the UN’s ethical framework of independence and impartiality (UNHRC, 2021). Unfortunately, the UNHRC is not immune from bias against Israel. The mere fact that Agenda Item 7 exists, which exclusively debates accusations of human rights abuses by Israel, while Agenda Item 4 debates human rights abuses by the rest of the world, showcases the incongruity and lack of impartiality of the UNHRC. As such, the resolution establishing this COI into Israel is merely par for the course at the UNHRC who fail to adhere to its own ethical guidelines.

Given that the division of Judea/Samaria/West Bank was agreed upon by both Palestinian leadership and Israeli leadership, the use of the word “occupied” is horribly misleading. The name West Bank itself was given by an occupying power: Jordan. Jordan renamed Judea & Samaria as the West Bank when it seized control in 1948. Jordan never once attempted to create a Palestinian state in that territory. Israel reunited Jerusalem and Judea/Samaria/West Bank in 1967 when Jordan joined the Egyptians in their failed attack to destroy Israel. The 1967 war was an existentially defensive war for Israel. It was Jordan who had annexed the West Bank/Judea/Samaria on April 24, 1950 that was largely not recognized in the international community. A matter to reflect on: Why was the West Bank/Judea/Samaria and Gaza not considered as “occupied” when it was Jordanian and Egyptian territory respectively from 1948-1967? Furthermore, in Article 24 of the original 1964 PLO charter, the PLO renounced any claims to the West Bank & Gaza (which at the time were Jordanian and Egyptian territories respectively) (“Palestine”, n.d.).

The COI will certainly receive submissions pertaining to the ongoing Sheikh Jarrah real estate dispute to support the false notion of ethnic cleansing by Jews against modern day Palestinians. The media, public figures, NGOs etc., have all attempted to transform an Israeli real estate dispute into ethnic cleansing. However, Israel’s Arab population has grown by approximately 400% since 1967: not remotely indicative of ethnic cleansing.



(Ben-Zvi, 2022)

The legal dispute that has made headlines regarding several Arab families living in Sheikh Jarrah (an area previously known as Shimon HaTzadik prior to Jordanian occupation from 1948-1967) is quite nuanced and has been ongoing for years. In short, Jordan ethnically cleansed the Jews from that region in 1948. Jordan illegally gave Jewish homes to Arab occupants. After Israel unified Jerusalem in 1967, Jews who had deeds to their property in Shimon HaTzadik/Sheikh Jarrah sought to return to their homes. Since Arabs had been living in those properties for years, the Israeli courts granted the Arab tenants squatter rights/“protected status” (Ben-Zvi, 2022). This protected status allowed the Arab families to stay in their homes for a nominal rent fee, despite the fact that the Arab families did not have deeds to the Jewish properties. The aforementioned is a compromise favoring the Arab occupants given the complexity of the situation. However, the Arab tenants did not pay rent to the Jewish property owners. As such, this real estate dispute escalated through the Israeli courts. Please keep in mind that this case is still in dispute and Israeli Arab justices also preside on the matter.

Hamas used the Shiekh Jarrah/Shimon HaTzadik real estate dispute (which has been falsely touted as baseless eviction of Arabs from their homes) to justify its indiscriminate assault on Israel during the 11-day war in May of 2021. In May of 2021, Hamas fired 4000+ rockets from civilian dense neighborhoods in Gaza into civilian dense neighborhoods in Israel. Hamas initiated this recent war. Unfortunately, the May conflict resulted in the loss of life for both Gazans and Israelis (Nizzenbaum, Rasmussen & Faucon, 2021). The targeted Israeli response (aimed at minimizing civilian casualties) to Hamas’ indiscriminate rocket fire is ultimately what made headlines. Hamas prioritizes its mission of annihilating Israel over improving the lives and civilian infrastructure of its constituents in Gaza. Hamas cowardly and strategically hides its

arsenal of weaponry and soldiers among its civilians: a war crime. By using civilian human shields, Hamas guarantees a greater civilian death toll and garners the headlines it desires – headlines that frame Israel as an aggressor with no regard for civilian life. The Associated Press concluded that “Palestinian fighters are clearly operating in built-up residential areas and have positioned tunnels, rocket launchers and command and control infrastructure in close proximity to schools, mosques and homes.” (Krauss, 2021). However, this is far from the first time Hamas has used its civilians as tools for combat. In 2014, following the discovery of 20 rockets hidden among Gazan schools, the United Nations Relief and Works Agency (UNRWA) released a statement acknowledging that “This is a flagrant violation of the inviolability of its premises under international law. This incident, which is the first of its kind in Gaza, endangered civilians including staff and put at risk UNRWA's vital mission to assist and protect Palestine refugees in Gaza.” (Klein, 2014). Ask yourself: where does all the financial aid to Gaza go? How is it that Hamas can build terror tunnels and acquire mass amounts of weapons and yet many Gazans are struggling to live a basic standard quality of life?

If this COI is genuinely interested in the “root causes” of the conflict in Israel and the Palestinian governed territories, why is there no COI examining the Palestinian people and their leadership: PA and Hamas? In 2013, the Palestinian President Mahmoud Abbas stated that “In a final resolution, we would not see the presence of a single Israeli -civilian or soldier – on our lands” (Browning, 2013). Hamas clearly states in its covenant that Hamas’ mission is to murder Jews and destroy the State of Israel in its entirety. For example, among other inciteful violent rhetoric in Hamas’ covenant is the following: “Israel will exist and will continue to exist until Islam will obliterate it, just as it obliterated others before it” (preamble) and “The Day of Judgement will not come about until Moslems fight Jews and kill them. Then, the Jews will hide behind rocks and trees, and the rocks and trees will cry out: ‘O Moslem, there is a Jew hiding behind me, come and kill him” (Article 7) (“The Hamas Covenant”, n.d.). Are these quotes remotely representative of a leadership that wants to foster enduring peace between two nations? Why is it acceptable for Palestinian leadership to openly call for the ethnic cleansing and murder of Jews and destruction of the Jewish State?

The anti-Israel position of the Palestinian leadership unfortunately has a significant influence on the sentiment of Palestinians towards Israel. The PA have a ‘pay for slay’ program that incentivizes violence by offering financial rewards and stipends to Palestinians (and their families) who engage in acts of terror against Israelis. The Palestinian Authority and Hamas both engage in child abuses by glorifying martyrdom and indoctrinating the Palestinian youth to hate Israel and murder Jews. In 2021, General Philippe Lazzarini, the Commissioner of UNRWA stated that “Anti-Semitism, intolerance—absolutely, these are the type of issues which have been identified by UNRWA through the review of 150 books, and we keep reviewing each of the books being issued by the authorities whenever they need to be used in our class[es]” (“UNRWA head”, 2021). The primary “root cause” of the ongoing conflict is that Israel has no Palestinian

partner willing and able to establish peace. If international organizations such as UNRWA and the UNHRC continue to ignore the brainwashing of Palestinian youth, they are ensuring Israel will have no peace partner for generations to come. For a detailed analysis of the problematic violent content in textbooks used in UNRWA schools in the West Bank/Judea/Samaria and Gaza, download the slide show by Dr. Arnon Groiss available through this link:

<https://israelbehindthenews.com/2021/05/27/textbooks-used-in-unrwa-schools/>

Abbas is a notorious history revisionist having publicly stated in 2018 that the Jewish people have “no historical ties” to Israel (Kershner, 2018). Abbas has also asserted that Israel is a European colonial project (Kershner, 2018). This blatant falsification disregards countless artifacts that prove Jews have lived in Judea/Samaria/Israel for millennia. Jews are from Judea - modern day Israel. The Kingdom of Israel existed in Judea and Samaria. Roman Emperor Hadrian renamed Judea as Syria Palestina (later Palestine) after they massacred and exiled the Jews from Samaria in 135 C.E. Before Hadrian, Titus son of Vespasian massacred and exiled the Jews from Judea during the destruction of the Second Temple (70 C.E). Renaming the land of Judea and Samaria was a tactic used to erase any Jewish connection to the land.

When in history has Jerusalem ever been the capital of a sovereign state called Palestine? Jerusalem was made the capital of Israel by King David in 1003 B.C.E. Jerusalem remained the capital of Israel for 400 years until conquest by the Babylonians. During both Babylonian and Roman conquests, Jerusalem did not serve as the capital for those occupying entities, but rather Babylon and Caesarea respectively. In 538 B.C.E, the Jews returned following the Babylonian exile, and Jerusalem once again served as the capital of Israel for 5.5 centuries. Jerusalem was never declared the capital of a Muslim province or entity during Muslim Arab conquest and rule from 638-1099 C.E.

- Approximately 961-924 B.C.E. - Jews build the First Temple in Jerusalem
- Approximately 400-300 B.C.E - Jews build the Second Temple in Jerusalem
- Approximately 691-685 C.E. - Muslims build the Dome of The Rock on top of the ruins of the First and Second Jewish Temple
- Approximately 705 C.E. - Muslims establish the Al-Aqsa Mosque on top of the Second Temple and Byzantine Church.
- Approximately 561 C.E. - Christians build the Church of St. Mary of Augustine

If Abbas is unwilling to acknowledge the basic history of the region and that of the nation of Israel (Jews), how can Abbas serve as a partner for achieving enduring peace? Furthermore, why is the legitimacy of Israel continually debated and referred to as a European colonial project, but Arab nations such as Iraq and Lebanon which, like Israel were legally established at the 1920 San Remo Conference are never called into question? It was during the San Remo Conference that the re-establishment of Israel was legally confirmed. Additionally, at the 1920 San Remo Conference, the foundation for the creation of the 22 Arab League States was established. The

Treaty of Sevres, later replaced by the Treaty of Lausanne, further confirmed the legality of the San Remo Conference (“Treaty of Sevres”, n.d.). Before the San Remo conference, not a single Arab nation state existed - those territories had all been part of the Ottoman Empire. In 1921, the British disregarded the Balfour Declaration and the San Remo Conference by handing over 77% of the original Mandate for Palestine to the Hashemite Kingdom of Jordan (Hertz, n.d.). Why are there no calls to liberate “Palestine” from Jordan? As noted earlier, the modern Palestinian nation did not yet exist in 1921. Prior to Israel aiding the modern Palestinians in attaining the autonomy they desired, there was never a Palestinian state. Palestine was a region controlled by outside forces: Persians, Greeks, Romans, Byzantine, Arab Caliphate, Crusaders, Mamluks, Ottomans and British. Depending on the ruling power of the time, Jews were either allowed to have a presence in the region or faced expulsion or ethnically cleansing. Today, Palestinian leadership solely seek to establish a Jew free State from the river to the sea. The lack of interest of Palestinian leadership in the territory of Jordan highlights the absurdity of their efforts to delegitimize the existence of Israel.

Another “root cause” of this conflict is UNRWA’s unique classification of Palestinians as refugees. Two UN refugee organizations exist currently. One is the UNHCR which is for 99.9% of refugees, and the other is UNRWA which is for Palestinians only. UNRWA is unique in that unlike 99.9% of all refugees in UNHCR, Palestinian refugee status under UNRWA is irrevocable and is automatically inherited by male descendants. This means that a Palestinian American citizen born in the United States of America is classified as a Palestinian refugee. People see the refugee count of Palestinians grow annually and assume incorrectly that Israel is displacing Palestinian people. However, by definition alone - UNRWA guarantees the generational annual increase of Palestinian refugees. UNRWA misleads the public by growing exponentially the Palestinian refugee pool. The question arises: WHY? Why does UNRWA operate differently from UNHCR? UNHCR’s aim is to reduce the refugee status population, not to increase the number of refugees as is the policy of UNRWA. Is it to delegitimize and demonize the State of Israel? Classifying generations of people as refugees who are not actually refugees, further complicates the conflict in the Middle East. Of note is that 850,000+ Jews from the 1940s-1980s were ethnically cleansed from the Middle East and North Africa. Those Jewish refugees who survived were absorbed into Israel after years in Israeli refugee camps. These Jewish refugees are often referred to as the ‘forgotten refugees’. My paternal grandfather was one of those forgotten refugees. No one tells their story because they are either ignorant to the history of the region and/or it does not suit the popular narrative. No special organization such as UNRWA was put in place for those Jewish refugees.

The UNHRC and this COI should take a moment to ask itself: WHY is Israel ALONE being targeted with this COI pertaining to the ongoing conflict between two groups of peoples? How can this COI arrive at any informed truths if it seeks to solely look at one element of the equation? This COI appears to be in the early stages of becoming analogous to the controversial

2009 Goldstone Report. Judge Richard Goldstone, a South African Jew who is the namesake of the report, ultimately retracted his “facts” and assertions that Israel had an explicit policy to target civilians in Gaza (Goldstone, 2011) (Frenkel, 2011). Judge Pillay, the assigned chair to this COI defended and endorsed the fallacy filled Goldstone Report, and yet the UNHRC has astonishingly deemed Judge Pillay to meet the criteria of “independence”, “impartiality” and “objectivity” (Evans, 2010).

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