

**Submission to the UN Human Rights Council “Commission of Inquiry” on Israel
created May 27, 2021 by resolution A/HRC/RES/S-30/1**

Organization: HARIF on behalf of the descendants of Jewish refugees from the Middle East and North Africa – victims of Arab and Iranian discrimination and repression on the basis of Jewish identity.

Biography: HARIF is a UK charity representing Jews from North Africa and the Middle East (UK no.1186454), and dedicated to promoting their history, culture and heritage. Over 2,000 years of history in the Middle East and North Africa came to an abrupt and tragic end just 50 years ago. Jews departed for Israel and the West, leaving an enormous cultural and economic void behind. In another 20 years, few Jews who were born in these countries will still be alive. A vital chapter of Jewish identity, history and culture – an entire civilisation – will be lost. HARIF is here to make sure it is not forgotten.

Issues to which our submission applies:

- (1) “Underlying root causes of recurrent tensions, instability and protraction of conflict in and between the Occupied Palestinian Territory, including East Jerusalem [*sic*], and Israel; as well as systematic discrimination and repression based on national, ethnic, racial or religious identity;”
- (2) “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;”
- (3) “Identification of those responsible;”

Submission: (This submission itself does not constitute an endorsement of the “Commission of Inquiry” or its mandate.)

Exodus and dispossession of Jews from Palestine: Jewish property lost in Abu Dis (Jerusalem)

BBC ignores Jewish claims in Abu Dis

31 May 2013

<https://www.jewishrefugees.org.uk/2013/05/bbc-ignores-jewish-claims-in-abu-dis.html>



Not content with reporting the news, the BBC is making it: its Middle East correspondent Yolande Knell has waded in to support Ali Ayyad’s campaign to reclaim ownership of the Cliff Hotel in the Jerusalem suburb of Abu Dis, now in the custodianship of the Israel Absentee Property Law. *BBC Watch* argues convincingly that Knell makes no attempt at balance or context: she has failed to point out that Jewish-owned lands in Abu Dis were taken over by the Jordanian Custodian of Enemy Property.

Knell devotes a considerable portion of her written article to the subject of the Israeli Absentee Property Law. Significantly – especially in this case – she makes no effort to inform readers of the fact that during the 19 year Jordanian occupation of Judea, Samaria and parts of Jerusalem (the later annexation of which was not recognized by the international community), there existed a body called the [Jordanian Custodian of Enemy Property](#) which was established to handle property seized from Jews during the War of Independence.

“During the war of independence, the mandatory Jordanian legions conquered the area of Judea and Samaria, and in 1950 annexed the area. In the aftermath of the Jordanian occupation of the area, the appointed Jordanian governor published proclamation 55, declaring all residents of Israel as “enemies” of the state. This declaration enabled the application of the Trading with the Enemy Act, 1939, to the property of Israelis in the area.

According to the act, a Jordanian custodian was appointed to manage enemy property including all the “Jewish Lands”. In turn the authorities of the Jordanian Kingdom used the lands for various purposes, including leasing and renting the land to the citizens.”

After the Six Day War and the subsequent end of the Jordanian occupation, property previously administered by the Jordanian Custodian of Enemy Property was transferred to the administration of the Israeli Custodian of Absentee Property, but the fact that the Jordanian authorities had frequently leased or sold Jewish-owned land to Jordanian citizens further complicated the legal situation.

In Abu Dis – as is acknowledged even by Palestinian [organisations](#) – some 598 dunams of land are actually Jewish-owned.

During the years 1920-30 the ‘Agudat HaDayarim’ Jewish Cooperative Society was established in Jerusalem in order to establish Jewish neighborhoods outside of the Old City for its members. The Society had over 210 members, from all walks of life and ethnic backgrounds including Persians, Iraqis and Yemenites. In 1928 the Aguda purchased 598 dunams of land in the area known today as Abu Dis – due to its proximity to the city centre – in order to build a ‘Garden Community’ (homes with agricultural plots). Although it acquired a legal title to the area, the Arab revolts of 1929 and 1936-9 prevented the Aguda from establishing the new community.

The War of Independence resulted in the Jewish-owned lands in Abu Dis coming under the control of the Jordanian Custodian of Enemy Property. After the Six Day War and the subsequent reunification of Jerusalem, most of the Jewish-owned land in Abu Dis (some 540 dunams) remained outside of the city’s municipal boundaries and part of modern Abu Dis is built upon that land. Some 60 dunams of the land originally owned by ‘Agudat HaDayarim’ in Abu Dis does fall within Jerusalem’s municipal boundaries.

Of course the BBC (strangely, for an organisation committed to accuracy) does not make a practice of informing its audiences about the subject of Jewish-owned lands in what it terms “the West Bank”, but the Jewish-owned lands in Abu Dis certainly should have been part of Yolande Knell’s research before she elected to co-opt the BBC to Ali Ayyad’s prolific media campaign.