**UN Human Rights Council Commission of Inquiry on Israel**

**Submission:** February 28, 2022

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**Issue(s) to which your submission applies:** I will address Issue #1 for the Inquiry

**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.**

* The primary cause of the recurrent tensions and outbreaks of violence is the rejection by Palestinian Arab authorities, including by the terrorist organization Hamas and by the Palestinian Authority, to accept the existence of Israel. Opposition to the existence of the state, and violent attacks against it, date back even before the formation of that state in 1948 pursuant to a United Nations resolution.
* The source of the conflict is not the so-called “occupied Palestinian territory”, as there was never a Palestinian state or self-governing Palestinian Arab authority in the area of the West Bank/Judea and Samaria.
* Furthermore, the P.L.O. (the major entity comprising the Palestinian Authority) was formed several years before the June, 1967 war and called in its charter for the destruction of Israel, so clearly the “occupation” of the West Bank / Judea and Samaria was not the cause of the conflict between Israel and the Palestinian Arabs.
* Palestinian terrorist organizations are responsible for continuing and escalating the conflict. Hamas explicitly calls for the destruction of Israel. Israel unilaterally withdrew both its forces and its citizens from Gaza in 2005, without any preconditions, with the hope and expectation that the Palestinian people in Gaza would develop a more peaceful society when self-governing. Instead of using the enormous financial assistance which Hamas receives to improve the lives of the residents of Gaza, monies were and are being used instead to manufacture weapons with which to attack Israeli cities, towns and villages and to build underground tunnels for the purpose of infiltrating Israel in order to kill or kidnap civilians. Hamas’s activities from Gaza illustrate clearly the grave security risks for Israel which would arise in the West Bank / Judea and Samaria if Hamas gained control of those areas (which might be the case if the Palestinians hold a long-postponed election). So long as Palestinian organizations such as Hamas, Islamic Jihad and others operate with the goal of destroying Israel, the conflict cannot be resolved. The countries and organizations that provide funding to Hamas, which is then used for their terrorist activities, are also complicit in protracting the conflict.
* The conflict is being endlessly protracted by Palestinian Arabs through indoctrination of younger generation after generation in the ideology of hate, through school curricula and summer “camps” to train them as child soldiers, in addition to using them as human shields. These kinds of activities amount to child abuse and a breach of international humanitarian law. There is also substantial evidence that the school books being used to teach hatred of Jews and incitement to violence, in the areas under the jurisdiction of Hamas and also of the Palestinian Authority, are contributed to by UNWRA, in contravention of the values espoused by the United Nations. Accordingly, UNWRA also bears some responsibility for the ongoing conflict.
* The suggestion of systemic discrimination within Israel is readily shown to be false. Palestinian Arabs are represented in all areas of Israeli society, including in government, the diplomatic service, the judiciary, the universities and the professions. Israeli courts protect all citizens’ rights, regardless of national, ethnic, racial or religious identity. Unfortunately, the same cannot be said for areas under Palestinian Arab control. In those controlled areas, a Palestinian Arab can be arrested, or worse, just for dealing with Jews. Jewish people in those areas are at great risk of being murdered, without provocation, as has tragically been the case on many past occasions. And the Palestinian Authority financially rewards terrorists or their families for killing Jewish Israelis. Those actions are surely the most extreme manifestations of discrimination based on national, ethnic, racial or religious identity.
* One comment about the issue as formulated by this commission: The areas referred to as “occupied” are the areas beyond what was an armistice line and not a national boundary. They are therefore disputed territories, rather than occupied territories. In addition, those areas were never governed by Palestinian Arabs, as no Palestinian Arab governing entity existed prior to 1967. They were areas that were occupied by the Kingdom of Jordan following the 1948 war in which the new state of Israel was attacked by the armies of five Arab states, none of which had a legal claim to those areas.
* An inquiry, by its nature, presupposes a search for truth, without prior assumptions as to conclusions. The commissioners of an inquiry must therefore be impartial. If any of the commissioners are biased in an inquiry regarding Israel, having views which are anti-Israel or anti-Jewish to start with, as evidenced by prior statements or actions or participation in anti-Israel or anti-Jewish events, then that would mean this project is not an enquiry, but rather an inquisition. It would have no legitimacy.

**Note:** This submission in itself should not be understood as endorsing the Inquiry or its mandate.