**Submission to UNHRC 2022 Commission of Inquiry Relating to the Israel Palestinian Conflict**

**Dated March 3,2022**

My name is Morris Priwler. I live in Israel.

I am making a submission, firstly to express my concern about the way the Commission of Inquiry has been established. The UNHRC as a body of the United Nations is obligated to promote equal treatment to all. It is my understanding that this means the rules of natural justice apply to any Commission of Inquiry. As result the persons on the Commission must be independent and unbiased. Unfortunately, this is not the case with this Commission of Inquiry where three of the appointed commissioners are known anti-Israel activists.

Accordingly, this Commission of Inquiry is inherently flawed**.** It has been set-up under in a totally inappropriate politicized process. In a very biased way, it applies standards of conduct to Israel not applied to any other Member State.Further the process setting up this COI with unprecedented resources and an indefinite mandate dedicated to this conflict ignores significant facts which support Israel’s action and ignores actions of Hamas and the Palestinians that contribute to the conflict.

Below I present evidence that contradicts the predetermined conclusions of the UNHRC and its COI. The evidence is based on published sources. In addition, I provide my personal experience which are identified.

**It is planned to address the underlying root causes of recurrent tensions and conflict.**

**Extremism over Peaceful Co-existence.**

In order to understand the underlying root causes, one needs to briefly review historical facts often ignored. The purpose is to illustrate the potential for peaceful co-operation between Arabs and Jews and that this possibility has been derailed by Arab extremism.

 In the 1920’s after Arab riots instigated by the extremist Mufti of Jerusalem, Haj Amin el Husseini, over eighty sheiks from Arab villages in the Jerusalem and Jaffa areas protested the riots instigated by the extremists Arabs. They issued a formal notice that they did not consider the Jewish settlements a danger to their communities. Similarly, hundreds of sheiks and muktars petitioned England in favor of Jewish immigration. (It has been suggested that that Arabs wanting co-existence was 70% of the Arab population.) Unfortunately, the extremists Arabs continued to oppose co-existence and prevailed. (see *1917 From Palestine to the Land of Israel,* Barry Shaw).

In the 1990’s Israel and the Palestinians held peace talks. It was because of these talks that the Palestinian Authority gained authority over approximately 95% of the Palestinian Arabs living in Judea, Samaria and Gaza. As a result, the PA had jurisdiction over the day-to day lives of these Palestinians. The PA have jurisdiction for policing and maintaining order in the areas with most of the Palestinians. For security reasons Israel retained security control over other areas. Further progress in the peace talks stalled. A significant factor contributing to this was the brutal wave of terrorist bombings by the extremist Hamas Palestinian group.

Instead of promoting peace as expected under the Oslo peace process the Palestinian Authority and Hamas glorify suicide bombers and incitement to terrorism. Shockingly, their textbooks incite children with de-legitimization, demonization and indoctrination to a violent struggle. There is no call for peace. (See <https://israelbehindthenews.com/2017/09/27/full-study-school-books-now-used-unrwa-palestinian-authority/>)

In 2005 Israel unilaterally left the Gaza area. This could have become a positive development towards peaceful co-existence. However, a few years later Hamas violently took control of Gaza from the Palestinian Authority. The goal of Hamas as stated in its Charter is the violent destruction of Israel. In order to implement this objective, it armed itself with rockets and built a network of underground tunnels for its fighters. Instead of peaceful co-existence Israel got the Hamas terrorists periodically firing rockets deliberately and indiscriminately at Israel citizens. This has led to death and injury of Israelis (both Jews & Arabs).

**Palestinian Refugees – Political Pawns & Contribution to the Ongoing Conflict**

In the 1948 war fought between invading armies from surrounding Arab countries and Israel many citizens fled the fighting. The Arab refugees were left in refugee camps. After 1948 many Jews were forced out and dispossessed of their homes and property.

In the 1948 mass refugee migration of Hindus and Muslims as a result of the India Pakistan conflict; the Greek and Turkish Cypriots in the 1970’s and the Jews fleeing Arab countries the refugees were resettled.

On the other hand, the Arab Palestinian refugees have remained in refugee camps as political pawns of Arab and Muslim countries.

This situation feeds extremism. Opportunities for coexistence with Israel and the terms of the Oslo agreement to eliminate incitement are ignored.(See <https://israelbehindthenews.com/2017/09/27/full-study-school-books-now-used-unrwa-palestinian-authority/>)

It is exacerbated by UNWRA. Unlike other world-side refugee, UNWRA was set up to deal solely with Palestinian refugees. It defines refugees differently to other refugees. These definitions promote an ongoing dependance and refugee status.

In addition, refugee camps and UNWRA facilities have been used to support terrorism with recruiting, training, storage & manufacture of arms and explosives. (see *Roadblock to Peace – How the UN Perpetuates the Arab-Israeli Conflict: UNRWA Policies Reconsidered,*  David Beiden; *We Palestinians Hold the Key to a Better Future*, Bassam Eid <https://blogs.timesofisrael.com/we-palestinians-hold-the-key-to-a-better-future/>)

**Terrorism**

Hamas and other Palestinian terrorist groups have resorted to indiscriminate terror attacks against Israel citizens. As a result of its terrorist attacks in many countries Hamas is designated a terror organization.

As referred to previously, this terrorism derailed the Oslo Peace Talks and was the cause of subsequent rounds of fighting including the latest round in 2021.

Israel has a right to defend itself against these attacks under the UN charter and international law. It does so. The accusers of Israel in the UNHRC and elsewhere have consistently failed to take this into account. Unfortunately, given the composition of the COI this injustice is likely to repeat itself. (see *Hamas, Not Israel, Violated International Humanitarian Law*, Samuel Estreicher and Julian G. Ku, New York Law Journal June 2021 reprinted <https://verdict.justia.com/2021/06/14/hamas-not-israel-violated-international-humanitarian-law>)

I have personally lived through the horror of the terrorist attacks during the series of terrorist bombings aimed at derailing the Oslo Peace process. We lived in fear of riding buses and limited movement from the house. I escaped a terrorist attack which took place a short time after I left the area attacked. Worse was attending the funeral of a friend’s daughter killed by a terrorist bomb while eating in a restaurant.

During the long history of terrorist attacks there have been other casualties that we have known. Like the family of the bride killed before the wedding of my wife’s cousin.

During the latest and previous rounds of fighting with Hamas I was running to bomb shelters at home and from a restaurant. I was woken by sirens at night running to help the family and pet to enter a bomb shelter until the risk of rocket fire subsided.

**Tyranny of the Majority**

Today there are approximately 60 Arab and Muslim States. Their assault on Israel have ensured that the Israel/Arab conflict receives special treatment.

This was the case when UNRWA was set up to support Arab refugees fleeing during the Israel War of Independence. These refugees are the only ones out of the many millions of worldwide refugees that pass their refugee status to their descendants. In the late 1950’s it was suggested to disband UNRWA but the automatic majority opposed this.

The UNESCO resolution stating that Jews do not have a claim to Jerusalem and the UNHRC conferences where Israel is singled out for so-called human rights abuses while countries committing major human rights abuses do not receive such treatment. There is no or minimal attention of the mistreatment of the Palestinian population at the hands of Hamas and the Palestinian Authority – the population that the UNHRC resolutions claim to support.

While in some instances Western democracies have voiced opposition, they often have failed to ensure fair treatment of Israel and prevent the hijacking of international agendas by the automatic majority.

**The Impact of Human Rights Abuses by the Palestinian Authority & Hamas in Gaza**

Both the Palestinian Authority and Hamas have been documented as promoting human rights abuses. Their failure to implement democratic and responsible governance increases grievances within the Palestinian population, leading to further instability. Furthermore, their incitement promotes the ongoing conflict with Israel and puts the Palestinian population at risk.

In addition, the PA and Hamas actively opposes normalization efforts. In a re-run of the silencing of the moderates by the extremist Mufti of Jerusalem, Haj Amin el Husseini in the 1920s, the Palestinians interested in benefiting from co-existence run the risk of harassment, beatings and jail. *(*see *Confronting Human Rights Abuses in the Palestinian Authority: An Essential Step for Progress in the Region* Bassem Eid <http://henryjacksonsociety.org/wp-content/uploads/2016/05/Palestinian-Human-Rights_online.pdf>; *Human Rights Group Documents Hamas Abuses* [*https://www.al-*monitor.com/originals/2019/04/gaza-arrests-peaceful-assembly-freedom-of-opinion-protesters.html](https://www.al-monitor.com/originals/2019/04/gaza-arrests-peaceful-assembly-freedom-of-opinion-protesters.html); *Palestinians at Odds About Normalization with Israel* <https://www.jpost.com/opinion/palestinians-at-odds-about-normalization-with-israel-619659>)

The result of these actions move us further away from co-existence.

Coexistence is possible. The successes of the Arab Israeli citizens point the way. There are many successful Arab professionals, members of parliament, tradesmen. Many Arab students attend Israeli universities, e.g. approximately 20% of the student population of the Israel’s leading Technion University are Arabs. Personally, our family has benefited from an Arab surgeon, hospital staff and tradesman. At work there are Arab colleagues and providing services that include t~~o~~ the Arab population.

**Conclusion**

In the 1920’s, extremism prevailed as the moderate Arabs willing to co-exist with the Jews for mutual benefit were discouraged/silenced. Second and third generation Palestinians linger in refugee camps instead of making a new life in their new countries – unlike the Muslim/Hindu; the Greek/Turkish and the Jewish refugees from Arab countries.

Terrorism kills innocent people and with it the chances of peace. A generation of Palestinian children that should have been educated towards co-existence – instead, are steeped in hate.

Palestinian leaders are discouraged from compromising by the biased politicized treatment of UN organizations.

Extremism prevails as the voices of the brave supporters of co-existence are drowned out. There is hope! In an ironic twist - Khaldun Husseini (a great grandson of the extremist Haj Amin el Husseini) is one of the Arabs promoting co-existence (see <https://www.dailywire.com/news/fleisher-fascinating-first-person-tale-kosher-yishai-fleisher>). If only those seeking peace and normalization are given a chance to do so, extremism can be defeated.

Those truly concerned about the well-being of the Palestinians will investigate and oppose these root causes of the conflict. They will support normalization. Will the COI and the UNHRC?