



**Economic and Social
Council**

Distr.
GENERAL

E/CN.4/Sub.2/2003/NGO/35
17 July 2003

ENGLISH ONLY

COMMISSION ON HUMAN RIGHTS
Sub-Commission on the Promotion
and Protection of Human Rights
Fifty-fifth session
Item 4 and 5 of the provisional agenda

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

PREVENTION OF DISCRIMINATION

Written statement* submitted by World Union for Progressive Judaism,
a non-governmental organization on the Roster

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[8 July 2003]

*This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

Historical Facts and Figures: the Forgotten Jewish Refugees from Arab Countries

Introduction

1. On 29 November 1947 the UN General Assembly adopted its Resolution 181. Called the 'Partition Plan,' it delineated the land west of the Jordan river into two parts: an Arab State and a Jewish State, with an international *corpus separatum* for Jerusalem. It comprised about 22 percent of the roughly 120,000 km² of the original 1922 League of Nations area of Palestine. All the land east of the Jordan river— 78 percent, about 94,000 km² of the entire mandatory area — had been transferred to the Emir Abdullah of Arabia by Britain, thus creating the *de facto* Emirate of Trans-Jordan, later to be renamed in 1949 the Hashemite Kingdom of Jordan.

2. This 1947 Partition Plan was categorically refused by all the Arab League States and also by the Arab-Palestinian leadership, still nominally headed by the Mufti of Jerusalem, Haj Amin al-Husayni, who found refuge in Egypt in 1946 (he moved to Beirut in 1962). Recently praised by Yasser Arafat in an interview, Husayni was declared a war criminal in 1945 after his sojourn in Germany during the Second World War, where he participated in the creation of a Bosnian and an Arab brigade to fight alongside Nazi S.S. units. He was received officially by Hitler on 28 November 1941 "to discuss the Arab-Nazi alliance and the methods to exterminate the Jews"(1). Known for his "ominous role in the extermination of European Jewry"(2), he broadcast genocidal appeals to the Arab world on Radio Berlin, even three months before D-Day: "Kill the Jews wherever you find them. This pleases Allah, history, and religion. This saves your honour. Allah is with you." (1 March 1944) (3)

3. On 24 November 1947, when addressing the Political Committee of the UN General Assembly, Egyptian delegate Heykal Pasha warned about the Partition Plan for Palestine: "*The United Nations (...) should not lose sight of the fact that the proposed solution might endanger a million Jews living in the Muslim countries. (...) If the United Nations decides to partition Palestine, it might be responsible for very grave disorders and for the massacre of a large number of Jews (...) if a Jewish state were established, nobody could prevent disorders. Riots would spread through all the Arab states and might lead to a war between the two races.*" (4)

4. Seven weeks later, the President of the World Jewish Congress, Dr. Stephen S. Wise, appealed to U.S. Secretary of State George Marshall to intervene, and his political director, Dr. Robert S. Marcus, referred to al-Husayni's involvement in the June 1941 Baghdad pogrom (*farhud*), warning about the menacing situation for Jews in Arab countries: "*This conspiracy is inspired by the Mufti, notorious war criminal, who participated in the Nazi plans to exterminate the Jews of Europe (...) Acts of violence already perpetrated, together with those contemplated, being clearly aimed at the total destruction of the Jews, constitute genocide which under the resolutions of the General Assembly is a crime against humanity.*" (5)

5. The title of a detailed article in the *New York Times* of 16 May 1948 — a day after Israel declared its independence — echoed this dire official warning: "Jews in Grave Danger in all Moslem Lands. Nine Hundred Thousand in Africa and Asia Face Wrath of Their Foes."

The indigenous Jews from Arab countries before 1948 and why they fled or chose exile

6. During the first half of the 20th century thousands of Jewish men, women, and children, the young and the old, were brutally massacred in Arab countries in North Africa, Iraq, Syria, Egypt,

Libya, and Aden — even under French and British colonial rule — and also in Palestine by lawless gangs soon after the British conquest in 1918, and throughout the Mandate period.

7. Already in Iraq (1936, and especially the Baghdad *farhud* of 1941), Syria (1944, 1945), Egypt and Libya (1945), and Aden (1947), murderous attacks had killed and wounded thousands. All these events occurred before Israel's independence. Here is a description from the official first-hand report in 1945 by Tripoli's Jewish community president Zachino Habib on what happened to Libyan Jews in Tripoli, Zanzur, Zawiya, Casabat, Zitlin on 4-5 Nov. 1945: "*The Arabs attacked Jews in obedience to mysterious orders. Their outburst of bestial violence had no plausible motive. For fifty hours they hunted men down, attacked houses and shops, killed men, women, old and young, horribly tortured and dismembered Jews isolated in the interior.... In order to carry out the slaughter, the attackers used various weapons: knives, daggers, sticks, clubs, iron bars, revolvers, and even hand grenades.*" (6)

8. A recent example of such terrorist acts was perpetrated on 11 April 2002 when the *jihadi* bombing of the ancient al-Ghariba synagogue of Djerba in Tunisia killed 17 and badly wounded many others, most of them elderly German tourists. A spokesman for Al-Qaeda claimed responsibility for the bombing. Tunisia's remaining Jewish community of about 1,000 — a remnant of an indigenous community with roots in the country's Phoenician past — will probably soon seek security in Israel and elsewhere, as have 99 percent of their co-religionists since the late 1940s.

9. In 1945 about 140,000 Jews lived in Iraq; 60,000 in Yemen and Aden; 35,000 in Syria; 5,000 in Lebanon; 90,000 in Egypt; 40,000 in Libya; 150,000 in Algeria; 120,000 in Tunisia; 300,000 in Morocco, including Tangiers — a total of roughly 940,000 (and approximately 200,000 more in Iran and Turkey). Of these indigenous communities, less than 50,000 Jews remain today — and in the Arab world their number is barely 5,000, one-half of one percent of the overall total at the end of the Second World War.

10. Pogroms and persecutions — and grave fears for their future — regularly preceded the mass expulsions and exoduses of these indigenous Jews, whose ancestors had inhabited these regions from time immemorial, over a millenium before the successive *jihad* waves of Arab invaders from the seventh century. Beginning in 1948-49, more than 650,000 of these Oriental Jewish refugees, stripped of everything, were integrated into Israel's sparse area of 20,000 km² — even as the new State was being threatened with extinction by neighbouring Arab States. A further 300,000 or so Jewish refugees found asylum elsewhere, in Europe and the Americas.

11. About half of Israel's 5.2 million Jews — from a population of about 6.5 million, of whom roughly 20% are Arab, Druze, and Bedouin Israelis — is composed of these forgotten refugees and their descendants, who received no humanitarian aid from the United Nations and did not ask for it. It was Israel alone, with the help of Jewish communities just emerging from the Shoah, which achieved their humanitarian survival and integration into a nascent society.

12. No parallel political commitment was made for the integration of the less numerous Arab refugees from Palestine (numbering about 550,000 in 1949, although an inexact figure of 750,000 and above is often claimed — rising to 4 or even 6 million today in the world's media). The Arab League countries cover 15 million km² — about 10% of the world's land surface — and many States possess immense oil and gas reserves, yet little was done to alleviate the plight of their Arab brethren. But the full moral responsibility lies exclusively with the Arab League and the Arab

Palestinian leadership, which defied international legality, beginning in 1947 – a ‘refusal’ clearly echoed by Farouq Al-Qaddoumi, head of the PLO political bureau and the secretary-general of Fatah’s Central Committee, when he stated in 2003: “*The [Palestinian] problem was created by the United Nations when it decided on a partition resolution.*” (7).

13. George Orwell's saying about everyone being equal, but some being more equal than others, could also be applied to refugees in general since the 1940s. Some refugees *are*, indeed, considered more equal than others. The forgotten million Jewish refugees from Arab lands were not helped by the United Nations, nor were they kept — as were the Palestinian Arabs — for over half a century in ‘refugee camps’, breeding hopelessness, frustration, and also a religious-inspired culture of hate and death in which *jihadi*st bombers are thriving.

14. The transfer of populations on a large scale, a consequence of war or for political reasons, has been a characteristic of human history, particularly in the Islamic Orient. Deportations, expropriations and expulsions of the *dhimmi*s — Jews, Christians, and other indigenous peoples — were recurrent throughout the long history of dhimmitude, after Arab *jihadi*-wars of conquest, expropriation, and occupation, including Palestine. (8) One should question the real motivation of a selective, historically-flawed memory that systematically spotlights Arab refugees from a part of Palestine during an Arab League war to destroy Israel.

15. UN Security Council Resolution 242 of 22 November 1967 was also rejected by the Khartoum Arab League Summit Conference, with the unchanging: “*No peace with Israel, no recognition of Israel, no negotiation with Israel, no concessions on the questions of Palestinian national rights.*” Yet resolution 242 also referred to “*a just solution to the refugee problem*” – a term that included the Jewish refugees from Arab countries (dixit President Carter in 1978).

16. The dire hardships endured by the great majority of these indigenous Jewish refugees from Arab countries have never been examined — and certainly not at the United Nations — nor has the loss of their inestimable collective heritage dating back from two to three millenium, and their vast personal property rights. This great injustice should be addressed at the UN, within the context of an equitable global solution to the ongoing Middle East tragedy, and as a just contribution to the current ‘Road Map’ of peace and mutual recognition.

17. The question of these forgotten Jewish refugees from Arab countries — now over three million — has often been raised by the WUPJ at the Commission and at the Sub-Commission. At the 58th session of the Commission (24 April 2002), speaking in ‘reply,’ a representative of Iraq, Saad Hussain — after the usual *ad hominem* attack against the speaker — declared: “*The Arab history, the Arab and Islamic history for fourteen centuries, has not witnessed any harm to the Jews – quite the contrary. The Jews have lived, and continue to live in peace, and their sacred places and their property have been protected until today. (...) They live in Arab countries today in perfect safety, despite the events – the horrible events in Palestine.*” (9)

18. Such gross official denials contrast with the irrefutable historical facts that Jews have been forbidden to reside in Arabia since the advent of Islam (except for Yemen and a part of the Gulf region) – and in Jordan since 1922. Today, there are no Jews in Libya, less than 100 in Egypt and Syria, and scarcely 5,000 in the Arab world. Before the Arab conquest, Iraq was only populated by Christians and Jews, with smaller communities of Zoastrians. When Iraq’s representative addressed the Commission, only 33 elderly Jews remained in Iraq from a 1948 population of over 140,000. All their ancient Scrolls of the Law (*Sifrei Torah*) had been confiscated in the 1960s and stacked one against another in a locked room at the Medressa Al-Moustansariyya, near the souk al-haraj in

Baghdad (10). The survival of these ancient sacred scrolls and other libraries is still uncertain.

19. The major stumbling block to peace in the Middle East remains the necessary establishment of democratic institutions and, above all, the acceptance by all Arab States, including the Palestinian Authority and Hamas, of the inalienable and legitimate *de jure* rights and existence of the State of Israel within a part of its historic homeland.

20. There is also the divisive question of a return of, or compensation for, Arab refugees as a result of two Arab wars to destroy Israel. The refusal in 1947 — and for 40 years, and more, by Arab Palestinian leaders and the Arab League — of Israel's existence in any part of the biblical 'Land of Israel' is the fundamental reason for a double refugee tragedy. But the deliberately targeted victims — far from any war zone — were, indisputably, the totally innocent and indigenous Jewish communities from ten Arab countries, which have now become virtually *Judenrein* ('cleansed' of all Jews). These facts can no longer be denied.

21. The World Union for Progressive Judaism solemnly calls on the High Commissioner for Human Rights, the High Commissioner for Refugees, all competent UN bodies, and particularly the Commission on Human Rights and its Sub-Commission — as well as the Arab League — to recognise formally the fundamental and equal human rights of these Jewish minorities, those forgotten millions – indigenous Jewish refugees from their former countries. (11) This key recognition of a great historic injustice could usefully be addressed in the future work of the Working Group on Minorities, and especially "*on peaceful and constructive approaches to situations involving minorities*"; and the Sub-Commission's work on: "*The return of refugees' or displaced persons' property*" under item 4. (12)

1 Bat Ye'or, Islam and Dhimmitude. Where Civilizations Collide (Cranbury, NJ: AUP, 2002/2003), p. 172.

2 Lucasz Hirsowicz, The Third Reich and the Arab East (London: Routledge & Kegan Paul, 1966), p. 26, quoted in Bat Ye'or; Islam and Dhimmitude, p. 300.

3. Maurice Perlman, Mufti of Jerusalem. The Story of Haj Amin el Husseini (London: Gollancz, 1947), p. 51, quoted in Bat Ye'or, Islam and Dhimmitude, p. 283.

4. UN Official Records of the Second Session of the General Assembly, Ad Hoc Committee on the Palestinian Question. SR., 25 September to 25 November 1947, p. 185.

5. Full details in a full page article by Richard A. Yaffe, 'Arab Pogroms Endanger 800,000 Outside Palestine.

Jews Slain, Homes and Synagogues Burned Down,' PM (New York: World Jewish Congress), 18 January 1948.

6. Renzo di Felici, Jews in an Arab Land: Libya, 1835-1970 Trans. from Italian by Judith Roumani (Austin: University of Texas Press, 1985), pp. 193-94, p. 365, n. 19). See the recent testimony by Giulia Boukhobza, (born in Libya in 1951), 'Justice for Jews from Arab nations,' International Herald Tribune, 1 July 2003, p. 9.

7. Interview with Qaddoumi, published in Kul Al-Arab (Israeli Arab newspaper), 3 January 2003.

8. For documentation, see Bat Ye'or, The Dhimmi: Jews and Christians under Islam (Cranbury, NJ: AUP, 1985/2003); idem, The Decline of Eastern Christianity under Islam. From Jihad to Dhimmitude: 7th to 20th century (Cranbury, NJ: AUP, 1996/2003); idem, Islam and Dhimmitude. Where Civilizations Collide.

9. UN English interpretation as recorded verbatim from statement delivered in Arabic (E/CN.4/2002/SR.54)

10. Photograph by Yossef Yinnon (1972) on the back cover of an 8-page publication: Bat Ye'or, 'Oriental Jewry and the Dhimmi image in contemporary Arab nationalism' (lecture, Jews College, London; organised on 5 Sept. 1978 by The Jews in Arab Lands Committee; chairman: former British Prime Minister Harold Wilson), World Organization of Jews from Arab Countries/ WOJAC (Editions de l'Avenir: Geneva, 5 April 1979)

11. Malka Hillel Shulewitz (ed. coll.), The Forgotten Millions. The Modern Jewish Exodus from Arab Lands

(Cassell: London / New York, 1999/Continuum, London / New York, 2000); Shmuel Trigano (sous la direction, coll.), L'exclusion des Juifs des pays arabes. Aux sources du conflit israélo-arabe (IN PRESS EDITIONS, France, 2003)

12. Cf. Working Group on Minorities, 9th session, 12-16 May 2003, under item 4: the update reports by Mr. Asbjorne Eide; and under item 4 of the Sub-Commission, the reports undertaken by Mr. Paulo Sérgio Pinheiro.

With the author's permission, this written statement — with several modifications and many enlargements by him — is based on *The Forgotten Refugees. An Exchange of populations* by David G. Littman, in The National Review Online, New York, 3 December 2002: www.nationalreview.com/script/asp?ref=/comment/comment-littman120302.asp

(David G. Littman is a representative of the World Union for Progressive Judaism to the United Nations in Geneva.)