

# **SUBMISSION**

## **On Capita Selecta**

**That violence is not due to the “occupation;  
That the “security barrier” is legal; and  
That there is no “Apartheid” in Israel and  
that any “suffering” by the Palestinians  
is not attributable to Israel.**

**To members of the United Nations Independent Commission of  
Inquiry on the 2014 Gaza Conflict,**

**Professor William Schabas, Justice Mary McGowan Davis  
and Dr. Doudou Diène**

By email to [coigaza@ohchr.org](mailto:coigaza@ohchr.org)

January 29, 2015

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This Submission is not confidential

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## **1. Introduction**

This memorandum is submitted in response to your call for submissions by individuals as outlined in your summary, including all violations of international humanitarian law and international human rights law in the specified territories in the context of the military operations conducted since 13 June 2014, WHETHER BEFORE, DURING OR AFTER. The Commissioners have made it clear that they interpret this mandate to include investigations of the activities of Palestinian armed groups in Gaza, including attacks on Israel, as well as the Israeli military operation in the Gaza Strip and Israeli actions in the West Bank, including East Jerusalem. Further, the Commission of Inquiry will be looking at a broad range of alleged violations committed by all parties, and will be considering the full range of human rights, including economic, social and cultural rights.

In its resolution [A/HRC/RES/S-21/1](#) adopted on 23 July 2014, on “Ensuring respect for international law in the Occupied Palestinian Territory, including East Jerusalem”, the United Nations Human Rights Council requested the UN High Commissioner for Human Rights to “to urgently dispatch an independent, international commission of inquiry, to be appointed by the President of the Human Rights Council, to investigate all violations of international humanitarian law and international human rights law in the Occupied Palestinian Territory, including East Jerusalem, particularly in the occupied Gaza Strip,.

## **2. Special Rapporteur`s Report**

The submitter notes that the Commission “will be considering the full range of human rights, including economic, social and cultural rights”. In this regard the submitter wishes to refer to the report of one of the Commissioners, Dr Doudou Diène, to the United Nations and to respectfully offer a different opinion.

This submitter is of the opinion that in its consideration of economic, social and cultural rights, the Commission will, in all likelihood, be expressing opinions on issues raised by Dr Diene in his report.

It is noted, as set out below, that in his capacity as Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, in arriving at his opinions, did not visit either Israel or the West Bank.

Mr. Doudou Diène (**Senegal**)  
**August 2002 - July 2008**

## Country visits

Title	Symbol number
Mauritania (September 2013)	<a href="#">A/HRC/26/49/Add.1</a> and <a href="#">Annex</a>
Spain (January 2013) Comments from Spain on the report of the visit	<a href="#">A/HRC/20/56/Add.2</a> <a href="#">A/HRC/20/56/Add.3</a>
Bolivia (September 2012)	<a href="#">A/HRC/23/56/Add.1</a>
Hungary (2011)	<a href="#">A/HRC/20/33/Add.1</a>
Singapore (April 2010)	<a href="#">A/HRC/17/40/Add.2</a>
United Arab Emirates (October 2009)	<a href="#">A/HRC/14/43/Add.3</a>
Germany (June 2009)	<a href="#">A/HRC/14/43/Add.2</a>
United States of America (May-June 2008)	<a href="#">A/HRC/11/36/Add.3</a>
Mauritania (January 2008)	<a href="#">A/HRC/11/36/Add.2</a>
Dominican Republic (October 2007)	<a href="#">A/HRC/7/19/Add.5</a>
Lithuania (September 2007)	<a href="#">A/HRC/7/19/Add.4</a>
Latvia (September 2007)	<a href="#">A/HRC/7/19/Add.3</a>
Estonia (September 2007)	<a href="#">A/HRC/7/19/Add.2</a>
Italy (October 2006)	<a href="#">A/HRC/4/19/Add.4</a>
Russian Federation (June 2006)	<a href="#">A/HRC/4/19/Add.3</a>
Switzerland (January 2006)	<a href="#">A/HRC/4/19/Add.2</a>
Brazil (October 2005)	<a href="#">E/CN.4/2006/16/Add.3</a>
Japan (July 2005)	<a href="#">E/CN.4/2006/16/Add.2</a>
Nicaragua (July 2004)	<a href="#">E/CN.4/2005/18/Add.6</a>
Honduras (July 2004)	<a href="#">E/CN.4/2005/18/Add.5</a>
Côte D'Ivoire (February 2004)	<a href="#">E/CN.4/2005/18/Add.3</a>
Guatemala (June 2004)	<a href="#">E/CN.4/2005/18/Add.2</a>
Colombia (October 2003)	<a href="#">E/CN.4/2004/18/Add.3</a>

Canada (September 2003)	<a href="#">E/CN.4/2004/18/Add.2</a>
Trinidad and Tobago , Guyana (July 2003)	<a href="#">E/CN.4/2004/18/Add.1</a>
Australia (May 2001)	<a href="#">E/CN.4/2002/24/Add.1</a>
Hungary, Czech Republic and Romania (September 1999)	<a href="#">E/CN.4/2000/16/Add.1</a>
South Africa (March 1998)	<a href="#">E/CN.4/1999/15/Add.1</a>
Kuwait (November 1996)	<a href="#">E/CN.4/1997/71/Add.2</a>
Colombia (July 1996)	<a href="#">E/CN.4/1997/71/Add.1</a>
United Kingdom of Great Britain and Northern Ireland (November 1995)	<a href="#">E/CN.4/1996/72/Add.4</a>
France (October 1995)	<a href="#">E/CN.4/1996/72/Add.3</a>
Germany (September 1995)	<a href="#">E/CN.4/1996/72/Add.2</a>
Brazil (June 1995)	<a href="#">E/CN.4/1996/72/Add.1</a>
United States of America (October 1994)	<a href="#">E/CN.4/1995/78/Add.1</a>

## **United Nations General Assembly 4 October 2004 English**

### **Fifty-ninth session Item 105 (a) of the provisional agenda\* Elimination of racism and racial discrimination:**

The Secretary-General has the honour to transmit to members of the General Assembly the study on the question of political platforms which promote or incite racial discrimination submitted by Doudou Diene, Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance pursuant to Assembly resolution 58/159.

**The Israeli-Palestinian divide, along political, ethnic and religious lines, is the main consequence of the Middle East conflict.** The issues of racism, ethnocentrism and xenophobia are consequently fundamental dimensions, and indeed expressions, of the conflict. **The cycle of extreme violence triggered by the dynamics of occupation** — violent acts of resistance followed by military retaliation — is not only terribly costly for the civilian populations on both sides (in particular the hopeless economic and social

situation of the Palestinian civilians and the insecurity of Israeli civilians), but has fuelled profound ethnic antagonism and hatred. Political platforms and discriminatory practices have been built along the same lines. **The present unacceptable situation of the Palestinian population, particularly in the economic, social and humanitarian spheres, is that of a population suffering discrimination.** The attacks on Israeli civilians are totally unacceptable and, even if Israel has the right to defend itself, **its construction of a “security wall” nevertheless constitutes a jarring symbol of seclusion,** erected by a people whose entire tragic history has been marked by the rejection of the ghetto. One of the perverse effects of this conflict is its intolerable contribution to the rise of Islamophobia and anti-Semitism in other parts of the world.

### **3. Israel-Palestinian Divide**

**The Special Rapporteur writes: The Israeli-Palestinian divide, along political, ethnic and religious lines, is the main consequence of the Middle East conflict.**

With respect, this is extremely doubtful at best and totally incorrect at worst. As a result, most of the report, based on: “The issues of racism, ethnocentrism and xenophobia are consequently fundamental dimensions, and indeed expressions, of the conflict” simply fall away and are null and void ab initio.

Let’s keep it short: The uprisings, revolutions, and/or armed conflicts in Tunisia, Egypt, Yemen, Syria, Iraq, the thousand year Shiite-Sunni divide, the unrest in Bahrain, ISIS or the Islamic state, the Kurds desire for independence and the attacks on Copts in Egypt or Christians in Iraq have nothing to do with Israel or the Israel-Palestinian divide.

The reason for the Israel-Palestinian is the history of Arab violence against Jews, dhimmitude in the Arab world, the refusal of the Arabs to accept a Jewish state in 1937 and 1948 (some would add 1967) and the unwillingness of the Palestinians to accept a state in 2000, 2008 and, according to news reports, in 2014.

This is confirmed by the 1964 PLO charter calling for a Palestinian state in place of Israel (but NOT extending to the West Bank or Gaza) and the more recent 1988 Hamas charter calling for Jews to be killed and for Israel to be destroyed.

#### **4. A history of Moslem violence against Jews**

The Special Rapporteur **writes: The cycle of extreme violence triggered by the dynamics of occupation**

Moslem violence against Jews has nothing to do with Palestine, occupation, settlements and the like. Some may ascribe this relationship to Dhimmitude but this aspect is well beyond the scope of this submission. Let history speak for itself.

While Jewish communities in Islamic countries fared better overall than those in Christian lands in Europe, Jews were no strangers to persecution and humiliation among the Arabs.

Muhammad, the founder of Islam, traveled to Medina in 622 A.D. to attract followers to his new faith. When the Jews of Medina refused to recognize Muhammad as their Prophet, two of the major Jewish tribes were expelled. In 627, Muhammad's followers killed between 600 and 900 of the men, and divided the surviving Jewish women and children amongst themselves.

The Muslim attitude toward Jews is reflected in various verses throughout the Koran, the holy book of the Islamic faith. "They [the Children of Israel] were consigned to humiliation and wretchedness. They brought the wrath of God upon themselves, and this because they used to deny God's signs and kill His Prophets unjustly and because they disobeyed and were transgressors" (Sura 2:61). According to the Koran, the Jews try to introduce corruption (5:64), have always been disobedient (5:78), and are enemies of Allah, the Prophet and the angels (2:97-98).

Jews were generally viewed with contempt by their Muslim neighbors; peaceful coexistence between the two groups involved the subordination and degradation of the Jews. In the ninth century, Baghdad's Caliph al-Mutawakkil designated a yellow badge for Jews, setting a precedent that would be followed centuries later in Nazi Germany.

At various times, Jews in Muslim lands lived in relative peace and thrived culturally and economically. The position of the Jews was never secure, however, and changes in the political or social climate would often lead to persecution, violence and death.

When Jews were perceived as having achieved too comfortable a position in Islamic society, anti-Semitism would surface, often with devastating results. On December 30, 1066, Joseph HaNagid, the Jewish vizier of Granada, Spain, was crucified by an Arab mob that proceeded to raze the Jewish quarter of the city and slaughter its 5,000 inhabitants. The riot was incited by Muslim preachers who had angrily objected to what they saw as inordinate Jewish political power.

Similarly, in 1465, Arab mobs in Fez slaughtered thousands of Jews, leaving only 11 alive, after a Jewish deputy vizier treated a Muslim woman in "an offensive manner." The killings touched off a wave of similar massacres throughout Morocco.

Other mass murders of Jews in Arab lands occurred in Morocco in the 8th century, where whole communities were wiped out by the Muslim ruler Idris I; North Africa in the 12th century, where the Almohads either forcibly converted or decimated several communities; Libya in 1785, where Ali Burzi Pasha murdered hundreds of Jews; Algiers, where Jews were massacred in 1805, 1815 and 1830; and Marrakesh, Morocco, where more than 300 Jews were murdered between 1864 and 1880.

Decrees ordering the destruction of synagogues were enacted in Egypt and Syria (1014, 1293-4, 1301-2), Iraq (854-859, 1344) and Yemen (1676). Despite the Koran's prohibition, Jews were forced to convert to Islam or face death in Yemen (1165 and 1678), Morocco (1275, 1465 and 1790-92) and Baghdad (1333 and 1344).

The situation of Jews in Arab lands reached a low point in the 19th century. Jews in most of North Africa (including Algeria, Tunisia, Egypt, Libya and Morocco) were forced to live in ghettos. In Morocco, which contained the largest Jewish community in the Islamic Diaspora, Jews were made to walk barefoot or wear shoes of straw when outside the ghetto. Even Muslim children participated in the degradation of Jews, by throwing stones at them or harassing them in other ways. The frequency of anti-Jewish violence increased, and many Jews were executed on charges of apostasy. Ritual murder accusations against the Jews became commonplace in the Ottoman Empire.

As distinguished Orientalist G.E. von Grunebaum has written:

It would not be difficult to put together the names of a very sizeable number Jewish subjects or citizens of the Islamic area who have attained to high rank, to power, to great financial influence, to significant and recognized intellectual attainment; and the same could be done for Christians. But it would again not be difficult to compile a

lengthy list of persecutions, arbitrary confiscations, attempted forced conversions, or pogroms.

In Iraq, the Farhud refers to the pogrom or "violent dispossession" carried out against the Jewish population of Baghdad, Iraq, on June 1–2, 1941, Hundreds of Jews were killed and houses damaged or destroyed.

A mini-Farhud also took place in Tunisia in 1941, On 20 May 1941, the Arabs of Gabes, fired up by the propaganda of the Grand Mufti Haj Amin al- Husseini and the defeat of France by the Nazis, resulted in the murder of Jews at the Place de La Synagogue in what became know as the Gabes pogrom.

A savage pogrom in Tripoli, Libya, on November 5, 1945, killed more than 140 Jews and wounded hundreds more. Almost every synagogue was looted. In June 1948, rioters murdered another 12 Jews and destroyed 280 Jewish homes.

In Algeria, Muslim antisemitism reached its peak with the eruption of the Constantine pogrom of 1934, in which 25 Jews were killed.

It is necessary to repeat: none of the above Moslem violence against the Jews was "triggered" by "occupation", "illegal settlements" or "walls" or the "Israel-Palestine divide" or anything related to the Arab-Israeli conflict.

## **5. Arab Violence Against Jews - Palestine**

The Special Rapporteur **writes: The cycle of extreme violence triggered by the dynamics of occupation**

**It is submitted that extreme violence of Moslems against Jews in Palestine has never been triggered by the dynamics of occupation but simply by the mere existence of Jews (and in later years, Israelis).**

There was no occupation in **1517**.

The **Safed attacks** refers to an incident that took place in Safed soon after the Turkish Ottomans had ousted the Mamluks and taken Palestine during the Ottoman–Mamluk War in 1517. At the time the town had roughly 300 Jewish households. The severe blow suffered took place as Mamluks clashed bloodily with the new Ottoman

authorities. Many Jews were killed and left injured. They were compelled to flee the city and their property was plundered.

The submitter respectfully points out that there was no occupation of Safed in **1517**.

In **1517** Jews were attacked in **Hebron** during the final phases of the 1513-17 Ottoman–Mamluk War, when Turkish Ottomans had ousted the Mamluks and taken Palestine. The massacre targeted the Jewish population of the city and is also referred as pogrom. Jews were attacked, beaten and raped, and many were killed as their homes and businesses were looted and pillaged. Those who survived the calamity fled to Beirut and Jews only returned to Hebron 16 years later in 1533.

The submitter respectfully points out that there was no occupation of Hebron in **1517**.

The **1660 destruction of Safed** occurred during the Druze power struggle in Mount Lebanon, at the time of the rule of Ottoman sultan Mehmed IV. The towns of Safed and nearby Tiberias, with substantial Jewish communities, were destroyed in the turmoil. Only a few of the former residents of Safed had returned to the town after the destruction. The community however recovered within several years, whereas Tiberias lay in waste for decades. Safed's central role in Jewish life in Galilee declined after the late 16th century, when it had been a major city with a population of 15,000 Jews. By the second half of the seventeenth century **Safed still had a majority Jewish community** with 200 "houses" and some 4,000 to 5,000 Jewish residents, while about 100 "houses" (multiple family units) in the town were Muslim.

The submitter respectfully points out that there was no occupation of Safed in **1660**.

The **1660 destruction of Tiberias** occurred during the Druze power struggle in the Galilee, in the same year as the destruction of Safed. The destruction of Tiberias by the Druze resulted in abandonment of the city by its Jewish community,

The submitter respectfully points out that there was no occupation of Tiberias in **1660**.

The **1834 looting of Safed** was a prolonged attack against the Jewish community of Safed, Palestine. It began on Sunday June 15 (7 Sivan), the day after the Jewish holiday of Shavuot, and lasted for the next 33 days. It was a spontaneous attack which took advantage of a defenceless population in the midst of the armed uprising against Egyptian rule. Accounts of the month long event tell of large scale looting, as well as killing and raping of Jews and the destruction of homes and synagogues by local Druze and Muslim Arabs. Over 500 Torah scrolls were desecrated, 13 synagogues destroyed and many Jews were left murdered and severely wounded.

The submitter respectfully points out that there was no occupation of Safed in **1834**.

In **1834 Egyptian soldiers entered Hebron** and troops committed atrocities against the Jews of Hebron. The Jews suffered the "most cruel outrages" and were targeted for "special violence". In the end, seven Jewish men and five girls were killed. It appears that the attack in Hebron was even worse than the plunder in Safed. Synagogues were desecrated, houses were ransacked, and valuable items were stolen leaving the Jewish community of Hebron destitute. The calamity succeeded in uniting Hebron's Sephardic and Ashkenasic communities, but it took until 1858 for the community to fully recover.

The submitter respectfully points out that there was no occupation of Hebron in **1834**.

On April 4, 1920, during the intermediate days of Passover, tens of thousands of Arabs gathered in Jerusalem's Old City and several speakers began firing up the horde, including the nefarious Haj Amin al-Husseini, who would subsequently be appointed the city's Mufti. He spent the second world war in Germany where he met Hitler and organized with Eichman the extermination of the Jews in Palestine following the anticipated arrival of Rommel in Palestine.

The crowd was whipped into a violent frenzy and went on the offensive. Arab assailants proceeded to attack innocent Jewish men, women and children on the streets, punching, kicking and beating them, as well as hurling stones and other objects. They broke into Jewish homes, raped Jewish women, and plundered property. Cemeteries and yeshivot were also attacked, with tombstones and Torah scrolls falling victim to the Arab mob's fury. Arab policemen, whose task was to maintain order, instead joined in the fray. Over 100 Jews were injured in just the first few hours, and the rioting intensified the following day. Finally, after several more days of unrest, the violence was finally quelled. When the dust had settled, a total of five Jews had been killed and more than 200 wounded.

One month later, in May 1920, the British government dispatched a commission of inquiry, known as the Palin Commission, to investigate. In predictable fashion, the final report sought to place blame on both sides, criticizing the Zionists for "impatience to achieve their ultimate goal," as if that would somehow justify an Arab pogrom. Nonetheless, the commission did note that it was clear that "the incidence of the attack was against the Jews and... was made in customary mob fashion with sticks, stones and knives. **All the evidence goes to show that these attacks were of a cowardly and treacherous description, mostly against old men, women and children, and frequently in the back.**"

Further riots instigated by the Mufti, which took place in Jaffa and Petah Tikvah in 1921, left tens of Jews dead.

The submitter respectfully points out that there was no occupation of Jerusalem in **1920 and 1921**.

The **Hebron massacre** refers to the killing of sixty-seven Jews (including 23 college students) on 24 August 1929 in Hebron, then part of Mandatory Palestine, by Arabs incited to violence by false rumors that Jews were massacring Arabs in Jerusalem and seizing control of Muslim holy places. The event also left scores seriously wounded or maimed. Jewish homes were pillaged and synagogues were ransacked. Soon after, all Hebron's Jews were evacuated by the British authorities. Many returned in 1931, but almost all were evacuated at the outbreak of the 1936–39 Arab revolt in Palestine. The massacre formed part of the 1929 Palestine riots, in which over a hundred Jews were killed, and brought the centuries-old Jewish presence in Hebron to an end.

The submitter respectfully points out that there was no occupation of Hebron in **1929**.

The **Tiberias massacre** took place on October 2, 1938 during the 1936–1939 Arab revolt in Palestine, in the city of Tiberias. Tiberias was then located in the British Mandate of Palestine and today is located in the State of Israel.

After infiltrating the Jewish Kiryat Shmuel neighbourhood, Arab rioters killed 19 Jews in Tiberias, 11 of whom were children.

During the massacre, armed Arabs set fire to Jewish homes and the local synagogue. In one house a mother and her five children were killed. The old beadle in the synagogue was stabbed to death, and another family of 4 was killed.

The submitter respectfully points out that there was no occupation of Tiberias in **1938**.

Below is a table of the number of Jews murdered by Arabs between 1920 and 1947. The submitter respectfully points out that there was no occupation in the sense indicated by the Special Rapporteur. Rather, the attacks were, as found by the Palin Commission, “of a cowardly and treacherous description, mostly against old men, women and children, and frequently in the back.” The attacks were focused on synagogues and Jewish institutions and the worst were in cities with centuries old Jewish population, Jerusalem, Hebron and Tiberias.

**The attacks were against the existence of Jews. It is as simple as that.**

<b>1920</b>	<b>9</b>
<b>1921</b>	<b>24</b>
<b>1929</b>	<b>119</b>
<b>1936</b>	<b>44</b>
<b>1937</b>	<b>10</b>
<b>1938</b>	<b>94</b>
<b>1939</b>	<b>26</b>
<b>1940</b>	<b>137</b>
<b>1941</b>	<b>14</b>
<b>1946</b>	<b>28</b>
<b>1947</b>	<b>152</b>

## **6. Arab Violence Against Israel**

In 1948 the independent state of Israel was declared. The armies of several Arab armies invaded what was mandatory Palestine. In 1949 cease fires were declared and armistice agreements entered into between Israel and several Arab states.

As a result of the armistice agreements, In 1948 much of Samaria and Judea was captured by Trans-Jordanian forces. The captured area was renamed the West Bank and Trans-Jordan itself changed its name to Jordan. For the first time in its history, Jerusalem was divided and the Jews expelled from the Jewish quarter of the Old City. The Holy Places, being the Western Wall, the Temple Mount, the Dome of the Rock and Al Aksa mosque were all held by Jordan and Jews and Israelis were not permitted access to their Holy Places. In the Old City, now held by Jordan, 58 synagogues were destroyed and the ancient Jewish cemetery on the Mount of Olives desecrated. The lines between Jordan, Egypt and Syria and Israel were set out in Armistice Agreements. Borders were not recognized and not referred to as such in the Armistice Agreements.

In 1967, the above areas were retaken by Israeli forces and Jews were again permitted to live in areas populated by Jews before their expulsion in 1948 and Jews were again permitted access to their Holy Places.

It is the return of Jews to the Old City, the re-establishment of Jewish populations in certain areas of the West Bank and the control of Jerusalem and Area C of the West Bank (some may add Areas A & B as well; this aspect is not the subject of this submission) which is generally referred to, and as used by the Special Rapporteur, the "occupation".

As mentioned above, the Special Rapporteur writes: “**The cycle of extreme violence triggered by the dynamics of occupation**”. Most critics of Israel take the same view.

There was no “occupation” between 1948 and 1967. Thus according to this theme and outlook, since there was no “occupation”, these were the years of tranquility and Paradise Regained. It is demanded of Israel to return to the 1949 armistice lines so that peace and calm in the Middle East would be restored and the Israel – Arab conflict be deemed resolved. The atmosphere in the Middle East was idyllic. There was no reason in 1967 for the UN to withdraw troops, for the Egyptians to impose a blockade on Eilat and for Egypt and Syria, subsequently joined by Jordan, to threaten Israel. It is so simple.

Except that it is not. By those who demand Israel withdraw to the 1949 armistice lines, it is agreed that there was no “occupation” between 1949 and 1967, not of the West Bank and not of “Eastern Jerusalem”. Instead, there were regular attacks on Israel from the West Bank and Gaza by fedayeen during those years. The fedayeen made efforts to infiltrate territory in Israel in order to strike targets in the aftermath of the 1948 Arab–Israeli War. The list of attacks are set out in Appendix A.

January 1<sup>st</sup> every year is party time in the West Bank and Gaza Strip. It's not the new year which is being celebrated annually with massive demonstrations replete with trampled American, British and Israeli flags and kids toting guns - it's the anniversary of Fatah's first attack against Israel. 2015 was a particular milestone in this regard: 50 years since Fatah's first attack in Israel, against Israel's water carrier, on January 1<sup>st</sup>, 1965 – when there was no “occupation”.

In this respect, Fatah Day provides us all with an important glimpse into the mindset of Palestinian society and its leaders. It should open the eyes of all, particularly critics of Israel's “occupation”. It should sweep away any illusions that might still exist about the ultimate aims of the Palestinian “national liberation movement.” **Extreme violence has nothing to do with the “occupation” but with the fact of Israel's existence.** Not only that, but Fatah Day serves as a timely reminder that fedayeen started attacking Israel in 1949 and Palestinian terrorists began attacking Israel in 1965, more than two years before the 1967 Six Day War, when Israel regained the West Bank as well as the eastern part of Jerusalem.

In other words, the Palestinian struggle against Israel, which is supposedly all about the “occupied territories,” is in fact much broader and even more sinister. It is aimed at the very existence of the Jewish state. And this is why there is no peace. Not because Israelis choose to live in Gush Etzion or in Hebron or the Old City of Jerusalem, but

because Israelis and Jews are not wanted, not in “Palestine”, not in Iraq, not in Libya, not in Algeria and in fact, not anywhere in the Arab world. In and immediately following 1948, 870,000 Jews were ethnically cleansed from most Arab countries. None have been permitted to return.

At least, Hamas is open and honest on its intentions. Its charter calls for Jews to be killed (article 7) and for Israel to be destroyed (in the preamble to the charter). The Palestinian Authority is more discrete but almost daily in its official media in Arabic, in its maps and in its educational system, violence is promoted, murderers are celebrated and there are calls for Israel to disappear.

What is interesting is that between 1948 and 1967 **NO ARAB/PALESTINIAN STATE WAS ESTABLISHED IN THE TERRITORIES NOW KNOWN AS THE WEST BANK AND GAZA** nor did any group of Arabs, whether living in the West Bank or Jerusalem or elsewhere ever claim the areas illegally occupied by Trans-Jordan in 1948 for the establishment of a Palestinian state.

In fact, in its first charter of June 1964, Fatah (PLO) had no claim to establish a Palestinian state. On the contrary, in Article 24 of the PLO charter adopted at its first conference in June 1964, the **Palestinians explicitly waived all rights to the West Bank and Gaza:**

“Article 24: **This Organization does not exercise any territorial sovereignty over the West Bank in the Hashemite Kingdom of Jordan, on the Gaza Strip or in the Himmah Area.** Its activities will be on the national popular level in the liberational, organizational, political and financial fields.”

A correction is required. The PLO did have a claim to establish a Palestinian State – in place of Israel.

Pursuant to this 1964 charter, Fatah carried out its first raid into Israel on 1<sup>st</sup> January 1965. At that time there was no “occupation” as understood by the critics of Israel.

In short, in every single year between 1949, first fedayeen and from 1965 the PLO, attacked Israel murdering and injuring Israelis and destroying property. Below is the list of Israelis murdered in these years by fedayeen and the PLO during the years when there was no “occupation” and, according to the Special Rapporteur and others, as a result of which there could not have been any “extreme violence”.

<b>1949</b>	<b>37</b>
<b>1950</b>	<b>52</b>
<b>1951</b>	<b>41</b>
<b>1952</b>	<b>40</b>
<b>1953</b>	<b>46</b>
<b>1954</b>	<b>41</b>
<b>1955</b>	<b>30</b>
<b>1956</b>	<b>53</b>
<b>1957</b>	<b>19</b>
<b>1958</b>	<b>15</b>
<b>1959</b>	<b>10</b>
<b>1960</b>	<b>11</b>
<b>1961</b>	<b>8</b>
<b>1962</b>	<b>10</b>
<b>1963</b>	<b>7</b>
<b>1964</b>	<b>9</b>
<b>1965</b>	<b>10</b>
<b>1966</b>	<b>10</b>

It is submitted that the cycle of extreme violence of the Palestinians has nothing to do with the dynamics of occupation but with the desire of both Hamas and the Palestinian Authority for Israel to “go away”.

## **7. The Security Barrier**

The Special Rapporteur then continues and adds: “even if Israel has the right to defend itself, its construction of a “security wall” nevertheless constitutes a jarring symbol of seclusion,”

It is pointed out that the security barrier is 95% fence. The use of the word “wall” adds an emotional and prejudicial element which a purportedly neutral party should rather avoid in the explosive atmosphere of the Middle East conflict.

It also reflects the “double standards” so common to and emphasized by anything relating to Israel. There is never any mention of other security walls (not fences) erected world wide. A short list: Morocco/Western Sahara (against the Polisario), India/Pakistan Botswana/Zimbabwe, South Arabia/Yemen (intruding into Yemen territory), Thailand/Malaysia, Pakistan/Afghanistan, Uzbekistan/Tadjikistan, Kuwait/Iraq, Mexico/USA, Ceula and Mellila built by Spain in Africa and the most well-known, but in a world of double standards, never discussed Cyprus/Northern Cyprus barrier.

The Special Rapporteur notes, and it is to his credit to so do, that Israel has the right to defend itself. Below is a table of Israelis murdered by terrorists originating east of the security barrier in the period 2000 to 2006. It is striking that as the security barrier progressed, the number of murdered Israelis was drastically reduced.

Those living to the east of the security barrier may well consider it to be a “jarring symbol of seclusion” as stated by the Special Rapporteur but it is pointed out that all borders world wide separate people from those on the other side of the barrier such as Cyprus/Northern Cyprus and (especially in the San Diego area) USA/Mexico. Israel’s security barrier has been erected totally within Area C, which is under Israel’s civilian control under the internationally recognized Oslo Accords II. In fact, the security barrier does not even extend to the Area C boundary with Areas A & B – Palestinian Authority civilian control. Israel should be praised, not criticized, for its self-imposed limitations.

With respect to the admittedly, and almost unusually, moderate criticism of Israel by the Special Rapporteur, while those on the eastern side of the security barrier may be unhappy with their seclusion, those on the western side are entitled to their safety, life and limb.

The security barrier is clearly life saving and having been erected in Area C, definitely legal.

It is submitted that the onus is on the opponents of the security barrier to propose alternatives which will not result in the murder of Israelis. Until such time, criticism of the security barrier is decidedly unwarranted and indicative of an arrogant attitude towards the right of Israelis to life and limb. The use of the word “wall” or often “apartheid wall” is used as an emotional tool to delegitimize Israel and is not intended to benefit the Palestinians.

<b>2000</b>	<b>43</b>
<b>2001</b>	<b>207</b>
<b>2002</b>	<b>457</b>
<b>2003</b>	<b>213</b>
<b>2004</b>	<b>124</b>
<b>2005</b>	<b>53</b>
<b>2006</b>	<b>29</b>
<b>2007</b>	<b>13</b>
<b>2008</b>	<b>36</b>
<b>2009</b>	<b>6</b>
<b>2010</b>	<b>10</b>
<b>2011</b>	<b>21</b>
<b>2012</b>	<b>9</b>
<b>2013</b>	<b>7</b>

## **8. Discrimination**

In his report, the Special Rapporteur writes: **The present unacceptable situation of the Palestinian population, particularly in the economic, social and humanitarian spheres, is that of a population suffering discrimination.**

The submitter disagrees totally with the Special Rapporteur. It is noted that the Social Rapporteur does not substantiate these sweeping criticisms which are unfounded. In Areas A & B and in the Gaza Strip, the Palestinians have complete civilian control and consequently are responsible for their own fate. In fact, Jews and Israelis are not allowed into these areas except under sufferance. Any Palestinian selling property to Jews or Israelis is subject to a death penalty or life imprisonment with hard labour. No Israeli is allowed to live in Areas A & B or the Gaza Strip. This is pure discrimination known as "apartheid". Since Israel has no control over areas A & B and the Gaza Strip, it is not understood as to how the Palestinian population suffers "discrimination" at the hands of the Israelis.

The Palestinian civilian control of Areas A & B includes education, health, hospitals, housing, infrastructure and employment. In many instances, the Palestinian standards are equal to or exceed the standards of other Arab states.

In 2013, over 200,000 Palestinians, including about 40,000 Palestinian children, received treatment in Israeli hospitals. Discrimination?

Over 100,000 Palestinians are employed in Area C and Israel on a daily basis. Discrimination?

Every year about 60 Palestinian medical interns receive final year training in Israeli hospitals. Discrimination?

Israelis are quietly assisting hi-tech start-ups in Ramallah which is becoming the Silicon Wadi of the Arab world. Discrimination?

For the past about 10 years, the Middle East Education through Technology (MEET) program has been uniting budding hi-tech Palestinian and Israeli (Jewish and Arab) entrepreneurs from Jerusalem, Bethlehem, Ramallah, Mevasseret Zion, Nazareth and Beit Shemesh. Discrimination?

Palestinian Arab farmers participate in courses held at the Volcani Institute, within the Israeli Agriculture Ministry complex in Beit Dagan. In the latest course, the farmers explored a variety of issues related to the packing and storage of fruits and vegetables. Discrimination?

Every Tuesday since 1995, Palestinian children from the West Bank and Gaza are admitted to the Cardiology Department at Wolfson Hospital, Holon, Israel for advanced life-saving treatment. Discrimination?

About 200 Arab patients from East Jerusalem and the west bank area are being treated daily at the Hadassah-Hebrew University Medical Center comprising about 20 percent of the total number of patients treated in the outpatient department. Discrimination?

Clearly words such as “discrimination” are being used purely as a tool to attack Israel without any justification or reference to the facts.

Israel administered the West Bank and Gaza from 1967 to 1995. Here is a table relating to water and electricity in Palestinian homes between 1972 and 1995 (the Oslo Accords). Suffering? Discrimination?

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**Table 7. Running water and electricity in homes**

<b>a) Running water</b>		
	<b>1972-75</b>	<b>1992</b>
West Bank	24%	79%
Gaza	14%	93%
<b>b) Electricity</b>		
West Bank	8%	96%
Gaza	35%	98%

*Source: Central Bureau of Statistics, Statistical Abstract of Israel, 1995*

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Since 1967, when Israel captured the West Bank and Gaza, Palestinian life expectancy has risen by about 10 years.

The 2014 life expectancy in the West Bank is 75.69 years and 74.64 in Gaza.

That is higher than Malaysia 74.52. (74.39). It is higher than the West Bank's neighbors in Jordan (74.10 years) and Egypt (73.45 years). Its even higher than Turkey (73.29 years). Let`s not talk about South Africa: 49.56

Since 1967, when Israel captured the West Bank, Palestinian infant mortality has been reduced from approximately 100/1,000 to 13.49/1,000 and Gaza to 15.46.

Table 2. Infant mortality rate per 1000 live births (2014 estimates), CIA country comparison, selected countries' rankings out of 224

Rank	Country	Infant mortality rate
2	Japan	2.1
<b>26</b>	<b>Israel</b>	<b>4.0</b>
36	United Kingdom	4.4

51	Morocco	4.5
56	US	6.2
65	Russia	7.1
70	Lebanon	8.0
99	Libya	11.9
<b>108</b>	<b>West Bank</b>	<b>13.5</b>
113	Oman	14.00
115	Saudi Arabia	14.6
<b>120</b>	<b>Gaza Strip</b>	<b>15.5</b>
121	Jordan	15.7
122	Syria	15.8
141	Turkey	21.4
145	Egypt	22.4
147	Tunisia	23.2
163	Iraq	37.5
170	Iran	39.0
174	South Africa	41.6

Source: Central Intelligence Agency World Fact Book 2014.

South Africa is included since it is the home country of the previous Chairlady of the UNHRC.

The life expectancy and infant mortality rates set out above do not indicate oppression or genocide or “suffering discrimination” or are “unacceptable” in any way and are better than most Arab countries.

Amongst the Gazan residents treated in Israel within the past few months were the sister and **granddaughter of Hamas` s leader, Ismail Haniyeh.**

In June of 1967 the living conditions in the territories were deplorable: low life expectancy, malnutrition, infectious diseases, high child mortality, low education, high illiteracy, and rife unemployment (83%). Access to the Israeli economy accounted for a 40% upswing in Palestinian employment, and the establishment of some 2000 industrial plants in the territories created even more employers as well as jobs and higher productivity.

Indeed, by the mid 1970's the Palestinians had the fourth fastest growing economy in the world, surpassing Singapore, Hong Kong, Japan, and South Korea; the GNP jumped from \$165 per capita in 1968, to \$1,715 in 1991, surpassing Egypt, Turkey, Jordan, Syria, Tunisia, and Yemen. Refrigerators, televisions and cars rapidly multiplied across the once barren territories.

As mentioned, life expectancy rose from 48 in 1967, to 75/6 years in 2014. Thanks to Israeli medical and inoculation programs, infant mortality fell from 100 per 1000 in 1967 to 13/15 per 1000 in 2014, and childhood diseases like polio, whooping cough, tetanus, and measles were eliminated completely.

Seven universities sprouted up where none had existed before 1967. Illiteracy sank like a stone. Such were the evils of Israeli "oppression." This is the "suffering" of the Palestinian population.

With all due respect to the Special Rapporteur and other critics of Israel, there is no evidence whatsoever of Palestinian suffering or suffering discrimination in the economic, social and humanitarian spheres.

It is submitted that any objective person has to conclude that Israel's presence, actions and activities has been to the benefit, welfare, advantage and advancement of the Palestinian population.

It is submitted that most under-developed and third world countries would want no more than to "suffer discrimination" at the hands of Israel to the extent Palestinians have suffered.

## **9. "Apartheid" – Areas A & B and Gaza**

As mentioned above, in his report, the Special Rapporteur writes: **The present unacceptable situation of the Palestinian population, particularly in the economic, social and humanitarian spheres, is that of a population suffering discrimination.**

It is not clear from the context as to the intended meaning of the word "discrimination". Bearing in mind that the Commission has been appointed by the UNHRC which is known for its ongoing criticisms of Israel as "an apartheid state", it is necessary to tackle this aspect head on.

On the assumption that discrimination as intended by the Special Rapporteur and "apartheid" are very similar, if not totally identical, then apartheid (and it follows, discrimination) means a system of institutionalized racial discrimination that the white minority in South Africa employed to maintain power over the black majority. It was characterized by the denial of political rights to blacks, the fragmentation of the country into white areas and black areas (called Bantustans) and by the imposition on blacks of restrictive measures designed to achieve white superiority, racial separation and white security.

None of the above applies to Areas A & B of the West Bank or to Gaza. These are areas controlled by the Palestinian Authority in Areas A & B and by Hamas in the Gaza Strip. There is no "racial" discrimination imposed by Israel. Actually, there cannot be since there is no Israeli presence in either Areas A & B or Gaza. There is no Israeli legislation applicable to these areas; if there was, Israel would not be in a position to apply such legislation. "Bantustans" were never recognized by any state; Areas A & B and Gaza were established under an internationally recognized agreement, the Oslo Accords II.

In short, there is no resemblance whatsoever between the governance of Areas A & B and the Gaza Strip and South African "apartheid" or "discrimination".

It is submitted that the Commission when it considers the full range of human rights in Areas A & B and the Gaza Strip, including economic, social and cultural rights, cannot make any findings adverse to Israel on grounds of "apartheid" or "discrimination".

If the Special Rapporteur did not mean "apartheid" when using the explosive term "discrimination, then, if this is a subject to be dealt with by the Commission, the Commission needs to define the term "discrimination" to enable Israel the right of reply.

There are grounds to make adverse findings against the Palestinian Authority, now in the 10<sup>th</sup> year of its electoral cycle of 4 years and Hamas but these are beyond the scope of this submission.

## **10. “Apartheid” – Israel and Area C.**

The meanings of “apartheid” or “discrimination” have been dealt with above and are repeated as if set out herein.

The apartheid accusation is a deadly one. It is undoubtedly explosive. It is something that people can relate to. It sounds so straightforward and direct and easy. The fact that it’s built on a foundation of simple untruths and exaggeration and distortion is another matter.

Thus the words apartheid or discrimination are not intended to improve the situation of Arabs in Israel or, for that matter, Palestinians in Areas A & B and Gaza, but as a tool to beat Israel. Ironically, the users of the apartheid word appear to not have the interests of the Palestinians at heart since no alternatives are proposed.

To contend that Israel’s Arab minority or the Palestinians suffer “discrimination” when their situation is not remotely comparable with blacks under apartheid is to stretch, bend, twist and contort truth.

In South Africa, the white rulers deliberately set about forcing segregation and discrimination into every aspect of life; that was their intention from the start, with the aim of securing power and privilege for the white minority. That is not Israel in Israel and not Israel on the West Bank or Gaza. There is no ideological aim to discriminate against Palestinians or for that matter, Arabs in Israel.

The apartheid parallel is not only inaccurate, it is also entirely useless. Instead of talking about how to change the Israel-Palestine divide, the rather irrelevant question whether it is apartheid or not is being discussed.

Below is my published article on “apartheid”.

### **Israel: A failed state**

CHARLES ABELSOHN March 6, 2014, Times of Israel

I grew up in South Africa and left for Israel in the 1970`s. So I consider myself somewhat knowledgeable on South African apartheid. In view of the criticisms of Israel as an apartheid state, I felt it my duty that my understanding and knowledge of apartheid should be put to good cause by exposing the evil manifestations of apartheid in Israel.

I started in my neighbourhood. I went to the municipal park. In South Africa, only whites would have been allowed to enter. I could not believe my eyes. Arabs and Jews were mixing peacefully, Arab and Jewish children socialising and shouting at each other in their home languages. This cannot be, where is the separation?

So I went to the shops and restaurants of the adjoining mall. What a major let down! Arabs and Jews shopping together as customers, Arabs and Jews employed together in the shops as assistants and cashiers, Arabs and Jews sitting in restaurants, an Arab dentist with his sign for all the world to see and the only missing ingredients were the “blankes alleen – whites only” signs. Clearly, in matters of commerce and common use of public and transport facilities, open to all, Israel is a failure in implementing apartheid: there is clearly no South African style apartheid to be found in public areas.

I had a brainwave. There are four places where there simply has to be South African apartheid – beaches, hospitals, universities and the army. I rushed to the beach and another failure. Jews, Arabs and tourists mixing, unaware that according to the world they should have been separated; even worse, I learnt that one million Arabs from the Palestinian Authority`s West Bank had visited Israel`s Mediterranean beaches during summer (of 2013), mixing with Israelis as if it was the most natural thing to do.

These failures to comply with the most elementary requirements of apartheid were making me sick and I rushed to hospital requiring medical attention. I was treated by Arab nurses before being ignominiously delivered to Arab doctors for further treatment. I heard that twenty percent of the medical staff are Arab and that the Israeli hospitals, medical staff, administrative staff and patients, are open to all, even the Syrian enemy or the Palestinian terrorist injured while setting off his bombs to kill and injure Israelis. In a children`s ward could be found in adjoining beds, Jewish, Israeli Arab, Palestinian Arab and Syrian children. Last year, 240,000 West Bank Palestinians, including 40,000 Palestinian children, took off time from shouting to the world about their ill-treatment and oppression at the hands of Israelis in order to visit Israeli hospitals for medical treatment. What a lousy advert for apartheid.

I was going crazy. Apartheid – where are you? I drove like a madman to an Israeli university to search for this elusive apartheid thing. Again, about twenty percent of the students at Israeli universities, no less than 30% at Haifa university, are Arabs. There are Arab professors and lecturers mixing with their Israeli colleagues. The Palestinian, Bargouti, leader of the world-wide anti-Israel boycott (BDS) movement, which bases itself on alleged Israeli apartheid, is a student at Tel Aviv University. Kafka, where are you when you are so desperately needed? This is becoming a mad, mad, mad world. When it comes to imposing apartheid, Israel does not appear to have a clue as to what is required.

I knew I could rely on the army to provide me with a first success that apartheid exists in Israel. After all, why would any but Jews want to serve in the Israeli army? I charged to army headquarters and suffered possibly my biggest defeat. In the Jewish/Israeli army serve, as commanders, officers and soldiers, Ethiopians, Beduin Arabs, Christian Arabs, Moslem Arabs, Druse and Circassians (Moslems originally from the Northern Caucuses). Worse, the world famous Golani Brigade is commandeered by a..... Druse Brigadier General! What sort of fictitious apartheid permits Arabs to serve and even command in the Jewish army? Israel, you failure you, don't you know anything about implementing apartheid?

I decided to catch this Israeli apartheid thing slyly through the back door. South African apartheid was anchored by legislation. I went to a lawyer to obtain details of legislated apartheid in Israel. I came out with my tail between my legs. Not only is there no legislative apartheid but Israel's Declaration of Independence and subsequent Basic Laws specifically provide for full democratic and human rights for all. Arabs serve as judges and in fact an Arab judge recently sentenced an ex-president of Israel to jail for being naughty with the ladies. Arabs vote as equals with Jews and sit as members of the Knesset (Parliament) as members of all parties. What an abject failure for Israel; even the judiciary up to and including the Supreme Court and the Knesset (Parliament) are devoid of "apartheid".

The bottom line is that, when it comes to implementing apartheid, Israel is a failed state. Israel fails every test evidencing the existence of South African style apartheid.

But all was not yet lost. My lawyer pointed out that the Palestinian had learnt much about apartheid from their good South African friends. Could I snatch victory from the jaws of defeat by changing direction? Apparently, yes. The Palestinians have legislation

forbidding the sale of property to Jews; the sentence for transgressions: death. Good. Apartheid at last. There are no Jews or Israelis living in Areas A & B under Palestinian Authority control. Better. More apartheid. The Palestinians have announced that no Jews or Israelis will be entitled to live in their state after it is founded. Eureka! Success at last! If you want to find South African apartheid in the Middle East, all you need to do is visit the Palestinian Authority's areas, or for that matter, most Arab countries such as Saudi Arabia, the UAE, Iraq, Libya etc (where Jews and Israelis have no rights or are even allowed). By now it must be clear to all why the Palestinians, their supporters and the Arab world are always shouting "apartheid". These folk are the real success stories when it comes to implementing apartheid.

## **11. Conclusion**

Since the Commission of Inquiry has stated that it will be looking at a broad range of alleged violations committed by all parties, **and will be considering the full range of human rights, including economic, social and cultural rights** but without providing indications of the scope of such considerations, the statements by the Special Rapporteur have been used as likely fields to be investigated by the Commission.

Broadly, the following are the statements which have been discussed in this submission and which to a large extent, reflect the current criticisms of Israel.

### **The cycle of extreme violence triggered by the dynamics of occupation**

It is submitted that Arabs have regularly acted violently against Jews both in Arab countries and in Palestine over many centuries; the only aspect which has been subject to change is the excuse or often, violence without any excuse. "Occupation" is simply the latest excuse. As has been shown, the current violence has nothing, or almost nothing, to do with "occupation" but with the desire that Israel "will go away".

### **Its construction of a "security wall" nevertheless constitutes a jarring symbol of seclusion,**

It is submitted that the security barrier (not wall) is legal and life-saving and that it is noted that no alternatives have been suggested by opponents to the security barrier.

It is further submitted that barriers exist between many countries worldwide and that the emphasis on Israel's security barrier is simply another example of the double standards used by critics of Israel.

**The present unacceptable situation of the Palestinian population, particularly in the economic, social and humanitarian spheres, is that of a population suffering discrimination.**

It is submitted that no discrimination or "apartheid" has been indicated by the Special Rapporteur, no South African style racial legislation or racial discrimination or separation exists and that no discrimination or "apartheid" attributable to Israel exists in Areas A & B, the Gaza Strip, Area C or Israel itself. The accusations are simply explosive terms used primarily by those who wish to delegitimize Israel, to demonize Israel and who simply want Israel "to go away".

It is submitted, as shown, that a consequence of Israel's administration of the West Bank, "Eastern" Jerusalem and Gaza has been a significant and indeed sizable improvement in the welfare, educational, health and living standards of the Palestinians.

## **Appendix A**

### **Fedayeen and (from 1965, Fatah) Attacks on Israeli Civilians 1951 - 1966**

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- February 1951 - Jamil Muhammad Mujarrab, a member of a Jordanian armed group, raped and murdered an Israeli girl in Jerusalem's Katamon neighborhood.
- Jan 1, 1952 - Seven gunmen attacked and killed a nineteen year-old girl in her home, in the neighborhood of Beit Yisrael, in Jerusalem.
- December 31, 1951/ Jan 1 1952 - a rape murder occurred. The body of the girl, Leah Feister, had been found hidden in a cave about a mile from the Jordan border, the girl had been raped and murdered her face had been mutilated.
- Apr 14, 1953 - Infiltrators tried for the first time to infiltrate Israel by sea, but were unsuccessful. One of the boats was intercepted and the other boat escaped.
- June 7, 1953 - A youngster was killed and three others were wounded, in a shooting attacks on residential areas in southern Jerusalem.

- June 9, 1953 - Gunmen attacked a farming community near Lod, and killed one of the residents. The gunmen threw hand grenades and sprayed gunfire in all directions.
- On the same night, another group of terrorists attacked a house in the town of Hadera. This occurred a day after Israel and Jordan signed an agreement, with UN mediation, in which Jordan undertook to prevent terrorists from crossing into Israel from Jordanian territory.
- June 10, 1953 - Attackers infiltrating from Jordan destroyed a house in the farming village of Mishmar Ayalon.
- June 11, 1953 - Gunmen attacked a young couple in their home in Kfar Hess, and shot them to death.
- Sept 2, 1953 - Attackers infiltrated from Jordan, and reached the neighborhood of Katamon, in the heart of Jerusalem. They threw hand grenades in all directions. No one was hurt.
- October 12, 1953 - Yehud attack - A Palestinian Fedayeen squad threw a grenade into a civilian house in Yehud, killing a woman and her two children.



Scorpions Pass Massacre

- Mar 17, 1954 - Scorpion Pass Massacre - Terrorists ambushed a bus traveling from Eilat to Tel Aviv, and opened fire at short range when the bus reached the area of Ma'ale Akrabim (Scorpion Pass) in the northern Negev. In the initial ambush, the bandits killed the driver and wounded most of the passengers. The bandits then boarded the bus, and shot some of the passenger, one by one. Eleven passengers were murdered. Survivors recounted how the murderers spat on the bodies and abused them.
- Jan 2, 1955 - Gunmen attacked and killed 2 hikers in the Judean Desert.
- Mar 24, 1955 - Gunmen threw hand grenades and opened fire on a crowd at a wedding in the farming community of Patish, in the Negev. A young woman was killed, and eighteen people were wounded in the attack.

- August 29, 1955 - Beit Oved attack - a Palestinian Fedayeen squad fired small arms at a group of Israeli laborers, killing four and injuring ten.
- Apr 7, 1956 - A resident of Ashkelon was killed in her home, when attackers threw three hand grenades into her house. Two members of kibbutz Givat Haim were killed, when terrorists opened fire on their car, on the road from Plugot Junction to Mishmar HaNegev.
- There were further hand grenade and shooting attacks on homes and cars, in areas such as Nitzanim and Ketziot. One person was killed and three others wounded.
- Apr 11, 1956 - Gunmen opened fire on a synagogue full of children and teenagers, in the farming community of Shafir. Three children and a youth worker were killed on the spot, and five were wounded, including three seriously.
- Apr 29, 1956 - Killing of Roi Rotberg by Egyptian-backed Fedayeen, 21 years of age, from Nahal Oz.
- August 16, 1956 - Egged bus 391 ambush - a Palestinian Fedayeen squad carried out an attack on an Israeli civilian passenger bus traveling from Tel-Aviv to Eilat. Three Israeli soldiers and a female civilian passenger were shot dead by the attackers who ambushed the bus. In addition, three other civilian passengers were injured in the attack.
- Sept 12, 1956 - Ein Ofarim killings - Attackers killed three Druze guards at the Ein Ofarim facility, in the Arabah region.
- Sept 23, 1956 - Ramat Rachel shooting attack - Gunmen opened fire from a Jordanian position, killing four archaeologists and wounded sixteen others near kibbutz Ramat Rachel.
- Sept 24, 1956 - Attackers killed a girl in the fields of the farming community of Aminadav, near Jerusalem.
- Oct 4, 1956 - Negev desert road ambush - A squad of 10 armed Palestinian Arab militants, who infiltrated into Israel from Jordan, ambush and kill five Israeli construction workers in Sdom.
- Oct 9, 1956 - Two workers were killed in an orchard of the youth village, Neve Hadassah, in the Sharon region.
- Nov 8, 1956 - Gunmen opened fire on a train, attacked cars and blew up wells, in the North and Center of Israel. Six Israelis were wounded.

- Feb 18, 1957 - Two civilians were killed by landmines, next to Nir Yitzhak, on the southern border of the Gaza Strip.
- Mar 8, 1957 - A shepherd from kibbutz Beit Guvrin was killed by terrorists in a field near the kibbutz.
- Apr 16, 1957 - Militants infiltrated from Jordan, and killed two guards at Kibbutz Mesilot.
- May 20, 1957 - A gunman opened fire on a truck in the Arava region, killing a worker.
- May 29, 1957 - A tractor driver was killed and two others wounded, when the vehicle struck a landmine, next to kibbutz Kissufim.
- June 23, 1957 - Israelis were wounded by landmines, close to the Gaza Strip.
- Aug 23, 1957 - Two guards of the Israeli Mekorot water company were killed near Kibbutz Beit Govrin.
- Dec 21, 1957 - A member of kibbutz Gadot was killed in the Kibbutz fields.
- Feb 11, 1958 - Militants killed a resident of moshav Yanov who was on his way to Kfar Yona, in the Sharon area.
- Apr 5, 1958 - Militants lying in an ambush shot and killed two people near Tel Lakhish.
- Apr 22, 1958 - Jordanian soldiers shot and killed two fishermen near Aqaba.
- May 26, 1958 - Four Israeli police officers were killed in a Jordanian attack on Mount Scopus, in Jerusalem. Lieutenant-Colonel Flint of the Mixed Armistice Commission was killed apparently by a single sniper round while trying to evacuate the dead and wounded Israelis from an Israeli police patrol.
- Nov 17, 1958 - Syrian militants killed the wife of the British air attaché in Israel, who was staying at the guesthouse of the Italian Convent on the Mt. of the Beatitudes.
- Dec 3, 1958- A shepherd was killed at Kibbutz Gonen. In the artillery attack that followed, 31 civilians were wounded.
- Jan 23, 1959 - A shepherd from Kibbutz Lehavot HaBashan was killed.
- Feb 1, 1959 - Three civilians were killed by a landmine near Moshav Zavdiel.

- Apr 15, 1959 - A guard was killed at kibbutz Ramat Rachel.
- Apr 27, 1959 - Two hikers were shot at close range and killed near Massada.
- Oct 3, 1959 - A shepherd from kibbutz Heftziba was killed near kibbutz Yad Hana.
- Apr 26, 1960 - Militants killed a resident of Ashkelon south of the city.
- Apr 12, 1962 - Militants fired on an Egged bus on the way to Eilat; one passenger was wounded.
- Sept 30, 1962 - Two Militants attacked an Egged bus on the way to Eilat. No one was wounded.
- January 1<sup>st</sup> 1965 **The Fatah terrorist group carried out its first attack on Israel. The group attempted to bomb Israel's National Water Carrier but the attack was foiled.**
- May 31, 1965 - Jordanian Legionnaires fired on the neighborhood of Musrara in Jerusalem, killing two civilians and wounding four.
- June 1, 1965 - Militants attack a house in Kibbutz Yiftah.
- Sept 29, 1965 - A Militant was killed as he attempted to attack Moshav Amatzia.
- Nov 7, 1965 - A Fatah cell that infiltrated from Jordan blew up a house in Moshav Givat Yeshayahu, south of Beit Shemesh. The house was destroyed, but the inhabitants were unharmed.
- Apr 25, 1966 - Explosions placed by Militants wounded two civilians and damaged three houses in moshav Beit Yosef, in the Beit She'an Valley.
- May 16, 1966 - Two Israelis were killed when their jeep hit a terrorist landmine, north of the Sea of Galilee and south of Almagor. Tracks led into Syria.
- July 14, 1966 - Militants attacked a house in Kfar Yuval, in the North.
- July 19, 1966 - Militants infiltrated into Moshav Margalioth on the northern border and planted nine explosive charges.
- Oct 27, 1966 - A civilian was wounded by an explosive charge on the railroad tracks to Jerusalem.

