



Frequently Asked Questions and Answers

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Q. Who were the Jews from Arab Countries?

A. There has been an uninterrupted presence of large Jewish communities in North Africa, the Middle East and the Gulf Region for thousands of years.

In the eighth and sixth centuries BCE, Assyria and Babylon respectively conquered the ancient Kingdoms of Israel and Judea. With the subsequent dispersion of the Jewish people, this marked the beginnings of the ancient Jewish communities of the Middle East, the Gulf Region and North Africa. Jews were living in these lands some 1,000 years before the Arab Muslim conquests of these regions -- including the Land of Israel -- and about 2,500 years before the birth of the modern Arab states.

COUNTRY/REGION	DATE OF JEWISH RESIDENCY
Egypt	Since Biblical times
Iraq	6 th century BCE
Lebanon	1 st century BCE
Libya	3 rd century BCE
Syria	1 st century CE
Yemen	3 rd century BCE
Morocco	1 st century CE
Algeria	1 st – 2 nd century CE
Tunisia	200 CE

In the 7th century CE, Arab armies under the banner of the new religion of Islam conquered the vast regions of the Middle East and North Africa, encountering indigenous peoples living in their own lands. Over the centuries, these regions have become known as the "Arab world." Yet, non-Arab and non-Muslim minorities, the original, indigenous inhabitants remained as minorities in their own lands.

Q. What was the Status of the Jews in Arab Counties?

A. The 1,400 year history of the Jews under Arab and Muslim rule is a long and varied one. Jews (and Christians) were considered dhimmi, "the people of the Book", a 'protected' group of second-class citizens. The status of Jews living in Muslim lands was marked by some golden periods of prosperity. These periods were often marked by Jewish advances in medicine, business and culture. Jewish philosophy and religious study also flourished. Often, however, Jews were subjected to punishing taxes, forced to live in cramped ghetto-like quarters (mela) and relegated to the lower-levels of the social strata.

Q. Why Did They Leave?

A. The situation for Jews worsened in the 20th century, as witnessed by a consistent, wide-spread pattern of persecution and the mass violations of the human rights of Jewish minorities in Arab countries. After achieving independence, official decrees and legislation enacted by Arab regimes denied human and civil rights to Jews and other minorities; expropriated their property; stripped them of their citizenship; and other means of livelihood. Jews were often victims of murder; arbitrary arrest and detention; torture; and expulsions.

The situation became most perilous upon the declaration of the State of Israel in 1948, when many Arab countries declared war, or backed the war against Israel. Jews were either uprooted from their countries of longtime residence or became subjugated, political hostages of the Arab-Israeli conflict.

This made the situation for Jews in Arab countries untenable, and caused a mass exodus from most countries.

	1948	1958¹	1968²	1976³	2001⁴	2005⁵	2012 (est.)
Aden	8,000	800	0	0	0	0	0
Algeria	140,000	130,000	3,000	1,000	0	0	0
Egypt	75,000	40,000	2,500	400	100	100	75
Iraq	135,000	6,000	2,500	350	100	60 ⁶	50
Lebanon	5,000	6,000	3,000	400	100	~50 ⁷	40
Libya	38,000	3,750	500	40	0	0	0
Morocco	265,000	200,000	50,000	18,000	5,700	3,500	3,000
Syria	30,000	5,000	4,000	4,500	100	100	50
Tunisia	105,000	80,000	10,000	7,000	1,500	1,100	1,000
Yemen	55,000	3,500	500	500	200 ⁸	200	100
TOTAL	856,000⁹	475,050	76,000	32,190	7,800	5,110	4,315

Israel absorbed more than 620,000 of these former Jewish refugees, providing a safe haven for Jews and fulfilling the Zionist dream of their ingathering to the homeland of the Jewish people. The rest – some 1/3 of all Jews displaced from Arab countries - found refuge in Europe, North and South America, and elsewhere.

Q. Was there any coordination between Arab governments in the displacement of the Middle Eastern and North African Jews?

There is ample evidence that points to a pattern of conduct amongst a number of Arab regimes that appeared intended to coerce Jews to leave, or to use them as weapons in the Arab world's struggle against the State of Israel. This is evidenced from: (a) The drafting of a Law by the Political Committee of the Arab League that recommended a coordinated strategy of repressive measures against Jews; and (b)

¹ *American Jewish Yearbook (AJY) v.58 American Jewish Committee.*

² *AJY v.68; AJY v.71*

³ *AJY v.78*

⁴ *AJY v.101*

⁵ *AJY v.105*

⁶ Saad Jawad Qindeel, head of the political bureau of the Supreme Council for the Islamic Revolution in Iraq, as reported in *The Jerusalem Post*: July 18, 2005.

⁷ *Time Magazine*. February 27, 2007.

⁸ *AJY v.102*

⁹ Roumani, *The Case 2; WOJAC'S Voice* Vol.1, No.1

strikingly similar legislation and discriminatory decrees, enacted by numerous Arab governments that violated the fundamental rights and freedoms of Jews resident in Arab countries.

In 1947, the Political Committee of the Arab League (League of Arab States) drafted a law that was to govern the legal status of Jewish residents in all Arab League countries. In fact, members of the Arab League were colluding to encourage state sanctioned discrimination against Jews in all of its member states – at the time, Egypt, Iraq, Lebanon, Saudi Arabia, Syria, Jordan, and Yemen.

This Draft Law of the Arab League provided that "...all Jews – with the exception of citizens of non-Arab countries – were to be considered members of the Jewish 'minority state of Palestine,'; that their bank accounts would be frozen and used to finance resistance to 'Zionist ambitions in Palestine; Jews believed to be active Zionists would be interned as political prisoners and their assets confiscated; only Jews who accept active service in Arab armies or place themselves at the disposal of these armies would be considered 'Arabs.'"

Arab countries then enacted discriminatory legislation against Jews. From the sheer volume of these subsequent state-sanctioned discriminatory decrees, replicated in so many Arab countries and instituted in such a parallel fashion, one is drawn to the conclusion that such evidence suggests a common pattern of repressive measures, - indeed collusion - against Jews by Arab governments (For example, see "State Sanctioned Persecution of Jews in Egypt (<http://www.justiceforjews.com/egypt.htm>) and Iraq (<http://www.justiceforjews.com/iraq.html>)

Q. Were Jews Displaced from Arab Countries Really Refugees?

A. The answer is definitively yes.

The international definition of a refugee, as detailed The 1951 Convention Relating to the Status of Refugees clearly applies to Jews who had "a well-founded fear of being persecuted for reasons of race, religion..."

Moreover, on two occasions, in 1957 and again in 1967, the United Nations High Commissioner for Refugees (UNHCR) determined that Jews fleeing from Arab countries were refugees who fell within the mandate of the UNHCR.

"Another emergency problem is now arising: that of refugees from Egypt. There is no doubt in my mind that those refugees from Egypt who are not able or not willing to avail themselves of the protection of the Government of their nationality fall under the mandate of my office." - Mr. Auguste Lindt, UN High Commissioner for Refugees, Report of the UNREF Executive Committee, Fourth Session – Geneva 29

January to 4 February, 1957.

"I refer to our recent discussion concerning Jews from Middle Eastern and North African countries in consequence of recent events. I am now able to inform you that such persons may be considered prima facie within the mandate of this Office." - Dr. E. Jahn, Office of the UN High Commissioner, United Nations High Commissioner for Refugees, Document No. 7/2/3/Libya, July 6, 1967.

Therefore, according to international law, Jews fleeing Arab countries were indeed 'bona fide' refugees, who were determined to fall under the mandate of the United Nations High Commissioner for Refugees.

Q. Didn't Jews fleeing Arab countries come to Israel to fulfill the Zionist dream of Aliyah and not because they were refugees?

Jews in Arab countries were caught in a 'push-pull' scenario. Due to the longstanding and mounting persecution, Jews realized that there was no long term future for them and their families in the Arab country in which they were born - the 'push' theory. In deciding where to go, the 'pull' theory was paramount – most Jews deciding to resettle in Israel, the homeland of the Jewish people.

Either way, whether they resettled in Israel for Zionist reasons or elsewhere, Jews displaced from Arab countries were legally considered refugees under international law.

Q. Why has little been heard about these Jewish refugees?

A. The international community paid little attention to the plight of Jews fleeing Arab countries. Moreover, these displaced Jews did not remain refugees for long. They were successfully integrated into Israel and other host countries and did not become wards of the international community.

Q. Were Jewish refugees from Arab states treated any differently than the Arab Palestinian refugees?

A. History reveals that there were two refugee populations created as a result of the longstanding dispute in the Middle East - Palestinians and Jews displaced from Arab countries.

Yet, when the issue of 'refugees' is raised within the context of the Middle East, people invariably refer only to Palestinian refugees. Neither the mass violations of human rights nor the displacement of Jews from Arab countries has ever been adequately addressed by the international community.

Since 1947, the United Nations' predominant focus has been on Palestinians:

- i) 1088 resolutions of the UNGA and UNSC on the Middle East, including 172 resolutions on Palestinian refugees;
- ii) Thirteen UN agencies and organizations mandated or newly created to provide protection and relief to Palestinian refugees; and
- iii) Over the last 60 plus years, tens of billions of dollars have been disbursed by the international community to provide services and assistance to Palestinian refugees.

During that same period, there were no UN resolutions; no support provided by UN agencies; nor any financial assistance forthcoming from the international community to ameliorate the plight of Jewish and other refugees from Arab countries.

Moreover, there is one fundamental distinction between Palestinian refugees and Jewish refugees that must be underscored. Israel, under attack from six Arab armies, with scarce and scant resources, tried as best she could to integrate the Jews from Arab countries who arrived at her borders. By comparison, Arab countries, with the sole exception of Jordan, turned their backs on displaced Palestinians and sequestered them in camps to be used as a political weapon in the Arab world's struggle against the state of Israel.

Q. Even if Jews fleeing Arab countries were refugees, do they have any rights to-day, over half a century later, when they are no longer refugees?

There is no statute of limitations on the rights of refugees. The passage of time does not negate refugee rights to petition for redress for mass violations of human rights as well as for losses.

If a refugee left behind assets, including bank accounts, pension plans, they do not lose their rights to these assets, notwithstanding how many years have passed.

Therefore Jewish refugees, even though many years later and resettled, still have rights under international law.

Q. What is the estimated value of properties lost?

A. In virtually all cases, as Jews left their country, individual and communal properties were confiscated without compensation provided to rightful owners. Most recent analyses have determined that Jews lost considerably more in assets than Palestinians.

One of the most credible estimates for assets left behind by Palestinians fleeing the 1948 war was prepared by John Measham Berncastle, who undertook the task in the early 1950s under the aegis of the United Nations Conciliation Commission for Palestine (UNCCP). He was a British land value estimator who had worked in Palestine since 1935. His estimate was 120 million Palestinian pounds of which about 100 million was for land and buildings and 20 million for movable property. Other estimates would add some 4-5 million Palestinian pounds for Arab bank accounts that were blocked.¹⁰

This total of 125 million Palestinian pounds would have amounted to \$350 million in 1948. This is equal to some \$650 per 1948-1949 refugee. This number is comparable to per capita assets for Poland, the Baltic States, and southeast European countries during the late 1930s, which ranged from \$550 to \$700.¹¹

¹⁰ Fishbach, Michael R. *Records of Dispossession: Palestinian Refugee Property and the Arab-Israeli Conflict*. New York: Columbia UP, 2003. P. 98.

¹¹ Zabludoff, Sidney. "The Palestinian Refugee Issue: Rhetoric vs. Reality." Jerusalem Center for Public Affairs, *Jewish Political Studies Review*. 20:1-2., Spring 2008. P. 2.

To this must be added the assets and losses for an additional 100,000 Palestinians who fled in the aftermath of the 1967 war and the 40,000 Internally Displaced Persons (IDP). At \$700 per capita, that would amount to another \$100 million in lost Palestinian assets. Thus the total of assets lost by Palestinians is some \$450 million. In 2007, using the U.S. Consumer Price Index to allow for grow, this would amount to \$3.9 billion. ¹²

In terms of Jewish refugee assets, one of the most recent analyses was prepared by Sidney Zabudoff, an economist who worked for the White House, CIA, and Treasury Department for more than thirty years. Zabudoff's assessment concludes that Jewish refugees from Arab countries suffered significantly greater losses (\$6 billion) than Palestinian refugees (\$3.9 billion). This disparity could be attributable to the fact that Jews had higher per capita assets than others, as most Jews lived in urban areas and held a large share of the professional jobs. The same demographic structure existed in virtually all countries of the Middle East and North Africa. For example, while Jews made up only three percent (3%) of the Iraqi population in 1948, they accounted for 20 percent of the population of Baghdad. The Palestinian population, as a whole, was more rural dwelling.

Moreover, any calculations for Jews refugees must include both communal (e.g. schools, synagogues, hospitals cemeteries) and individual assets (e.g. homes, businesses, land, pensions, benefits). The Palestinians' figure includes only lost individual assets as there were no communal properties.

It must be stressed that seeking rights for Jewish refugees from Arab countries is not only about compensation. It is an attempt to seek truth and justice; that the rich 2,500 year history of Jews in the region is not expunged from the history of the 20th century; that Arab governments take responsibility for their ill-treatment of their Jewish populations; and that the suffering of Jewish refugees be recognized and redressed.

Q. Shouldn't the Palestinian issue be dealt with separately from the Jewish refugees from Arab states?

A. As part of any Middle East peace negotiations, all issues must be dealt with legally and equitably.

The Jews who were forced out of their homes by the actions of Arab governments, were victims of an aggression that was carried out by these same Arab states against the newly founded State of Israel. Two populations of refugees emerged.

This is reflected in all relevant international bilateral or multilateral agreements that have focused on promoting peace in the region. By way of example, UN Resolution 242, The Road Map, The Madrid Conference, all had references to 'refugees' – not Palestinian refugees – the language of which is generic, allowing for the recognition and inclusion of all Middle East refugees - Jews, Arabs and others.

¹² Zabudoff, p. 2

Almost every reference to the refugee issue in Israeli-Palestinian agreements, talks about 'refugees', without qualifying which refugee community is at issue. By way of example, The Declaration of Principles of 13 September 1993 {Article V (3)}, and the Interim Agreement of September 1995 {Articles XXXI (5)}, both refer to 'refugees' as a subject for permanent status negotiations, without qualifications.

This clearly demonstrates the predisposition of all parties to deal with both refugee populations in the context of any Middle East peace negotiations.

Q. Isn't this just an attempt to divert attention away from the rights of Palestinian refugees?

A. The legitimate call to secure rights and redress for Jews displaced from Arab countries is not a campaign against Palestinian refugees or an attempt to prevent discussion or resolution of any issue.

In any Middle East peace negotiations, there is no doubt that the claims of Palestinian refugees will be on the agenda and up for discussion. As a matter of law and equity, it is important that the rights of hundreds of thousands of Jews displaced from Arab countries be similarly placed on the international political and judicial agenda and that their claims also be recognized and addressed.

Q. Why not just give Palestinians and Jews the 'right of return' to their former homes?

A. There are legal and practical reasons why this is not a solution.

Legally, according to many international law experts, when Palestinian representatives talk about the right of return, it is a gross misappropriation of international law. There is no 'right of return', because:

- It is not enshrined in customary law;
- It is not recognized as a general principle of international law; and
- When referred to in UN resolutions, it is advisory, not legally binding.

Therefore, the Palestinian claim to a 'right of return' is a canard intended to put Israel on the defensive and is a catchphrase for the destruction of the state of Israel. Moreover, it is intended to neutralize the legitimate claims of Jews displaced from Arab countries who have no desire to return to their countries of origin.

At various times, some Arab leaders have made statements saying that Jews could return to their former homes. It is illogical to think that Jews, who were subjected to mass violations of human rights, should return to those very countries where they were subjected to such persecution. Arab states have not retracted the discriminatory laws that forced Jews to leave. Anti-Semitism in Arab countries is much stronger and more intense today than when Jews were originally displaced. For Jews to resettle in Arab countries would be to subject themselves to persecution and repression.

Q. Why is it important to deal with Jewish refugees now, more than 60 years after the fact? Isn't this just another impediment in the peace process?

A. For any peace process to be legitimate, credible and enduring the rights and claims of all parties must be addressed and reconciled.

The plight of the Jewish refugees is an unresolved human rights issue that is inextricably tied to the Middle East conflict. There is a moral imperative that justice be done and that the rights of Jewish refugees from Arab countries assume its rightful place on the international agenda.

Moreover, rather than being an impediment to the peace process, securing rights for Jewish refugees from Arab countries is an inducement towards peace.

Over the years, a number of Israeli Prime Ministers have assured Israeli citizens that any final peace agreement would be submitted to the Israeli public for approval, either in the form of an election or by referendum. If Israelis, almost 50% of whom are themselves, or are descendants, of Jews from Arab countries are presented with a peace proposal that deals only with Palestinian refugees i.e. a 'one way' deal skewed in favor of Palestinians, they will be adamant against accepting it.

If however, Sephardi-Mizrahi Jews are presented with a proposed agreement that deals with Palestinian refugees but also addresses their legitimate concerns and claims as former refugees, then they will be more likely to vote in favor.

Therefore, for Israel, dealing with Jewish refugees from Arab countries is an inducement to peace.

Lastly, the first injustice was the mass violation of the human and civil rights of Jews resident in Arab countries. Today, one must not allow a second injustice; namely, that any peace agreement would recognize rights for one victim population - Palestinian refugees - without recognizing equal rights for other victims of that very same Middle East conflict – Jewish refugees from Arab countries.