JEWISH REFUGEES FROM ARAB COUNTRIES: THE HISTORICAL NARRATIVE

This document provides an overview of the history, plight and flight of Jews in 10 Arab countries in North Africa, the Middle East and the Gulf region.

THE HISTORICAL NARRATIVE

Historically, Jews and Jewish communities have existed in the Middle East, North Africa and the Gulf region for more than 2,500 years, in such countries as Morocco, Algeria, Libya, Tunisia, Egypt, Syria, Lebanon, Iraq, Yemen and Aden.

Fully one thousand years before the advent of Islam, Jews in substantial numbers resided in what are to-day Arab countries. Following the Moslem conquest of the region, for centuries under Islamic rule, Jews were considered second class citizens but were nonetheless permitted limited religious, educational, professional, and business opportunities.

Upon the declaration of the State of Israel in 1948, the status of Jews in Arab countries changed dramatically as virtually all Arab countries declared war, or backed the war against Israel. This rejection by the Arab world of a Jewish state in their ancient homeland was the event that triggered a dramatic surge in a longstanding, pattern of abuse and state-legislated discrimination initiated by Arab regimes and their peoples to make life for Jews in Arab countries simply untenable. Jews were either uprooted from their countries of residence or became subjugated, political hostages of the Arab-Israeli conflict. In virtually all cases, as Jews fled, individual and communal properties were seized and/or confiscated without any compensation provided by the Arab governments involved.

The result – from an estimated 1,000,000 Jews resident in North Africa, the Middle East and the Gulf region at the turn of the century, today less than 5,000 Jews remain in Arab countries.

Little is heard about these Jewish refugees because they did not remain refugees for long. Of the hundreds of thousands of Jewish refugees between 1948 and 1972, some two-thirds were resettled in Israel at great expense – others emigrated elsewhere – all without any compensation provided by the Arab governments who confiscated their possessions.

Securing rights and redress for Jews displaced from Arab countries is an issue that has not yet been adequately addressed by the international community. In fact, there were more former Jewish refugees uprooted from Arab countries (over 850,000) than there were Palestinians (UN estimate: 726,000) who became refugees as a result of the 1948 war when numerous Arab nations attacked the newly established State of Israel.

THE MASS VIOLATIONS OF HUMAN RIGHTS

Immediately before and after the Arab world sought to destroy the newly created State of Israel between 1948-49, the rights and security of Jews resident in Arab countries came under legal and physical assault by their own governments and the general populations. By way of example, in **Syria**, as a result of anti-Jewish pogroms that erupted in Aleppo in 1947, 7,000 of the town's 10,000 Jews fled in terror. In **Iraq**, 'Zionism' became a capital crime. More than 70 Jews were killed by bombs in the Jewish Quarter of Cairo, **Egypt.** After the French left **Algeria**, the authorities issued a variety of anti-Jewish decrees prompting nearly all of the 160,000 Jews to flee the country. After the 1947 United Nations General Assembly Resolution on the Partition Plan, Muslim rioters engaged in bloody pogroms in **Aden** and **Yemen**, which killed 82 Jews. In numerous countries, Jews were expelled or had their citizenship revoked (e.g. **Libya**).

The uprooting of ancient Jewish communities from some 10 Muslim countries did not occur by happenstance. 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.

These state-sanctioned repressive measures, coupled often with violence and repression, precipitated a mass displacement of Jews and caused the Jewish refugee problem in the Middle East.

THE DISCRIMINATORY RESPONSE OF THE UNITED NATIONS

TO THE PLIGHT OF JEWISH REFUGEES

From 1948 onward, the response of the international community to assist Palestinian refugees arising out of the Arab-Israeli conflict was immediate and aggressive. During that same period, there was no concomitant United Nations' response, nor any comparable international action, to alleviate the plight of Jewish refugees from Arab countries.

The sole comparison that can be made between Palestinian and Jewish refugees is that both were determined to be *bona fide* refugees under international law, albeit each according to different internationally accepted definitions and statutes – the former covered by UNRWA and the latter by the UNHCR.

As far as the response of the United Nations is concerned, the similarity ends there. The contrasts, however, are stark:

- a) Since 1947, there have been over 681 UN General Assembly resolutions dealing with virtually every aspect of the Middle East and the Arab Israeli conflict.
- b) Fully 101 of these UN resolutions refer directly and specifically to the 'plight' of Palestinian refugees.
- c) In <u>none</u> of these 681 UN resolutions on the Middle East is there a specific reference to, nor any expression of concern for, the 856,000 Jews living in, or having been displaced from, Arab countries.

- d) Numerous UN agencies and organizations were involved in a variety of efforts, or others were specifically created, to provide protection, relief, and assistance to Palestinian refugees. No such attention and assistance was forthcoming from these UN agencies for Jewish refugees from Arab countries.
- e) Since 1948, billions of dollars have been spent by the international community by the UN, its affiliated entities and member states to provide relief and assistance to Palestinian refugees. During that same period, no such international financial support was ever provided to ameliorate the plight of Jewish refugees.

THE LEGAL CASE FOR RIGHTS AND REDRESS

In the context of the Middle East, it would be an injustice to ignore the rights of Jews from Arab countries. As a matter of law and equity, it would not be appropriate to recognize the claim of Palestinian refugees to redress without recognizing a right to redress for former Jewish refugees from Arab countries. The legal case of displaced Jews to redress is as strong as, if not stronger than, the case of Palestinian refugees.

Recognition of the past is essential to the integrity of the Middle East peace process. Rejection of memory is a rejection of peace. No just, comprehensive Middle East peace can be reached without recognition of, and redress for, the uprooting of centuries-old Jewish communities in the Middle East and North Africa by Islamic regimes hostile to the State of Israel.

The call to secure rights and redress for Jews who were forced to flee Arab countries is not a campaign against Palestinian refugees; nor is it about initiating legal proceedings to seek compensation. It is a legitimate effort to ensure that the rights of all Middle East refugees be placed on the international political agenda as a quest for truth and justice and that their rights be secured as a matter of law and equity.

The first injustice was the mass violation of the rights of Jews in Arab countries. To-day, we must not allow a second injustice – for the international community to 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.

FREQUENTLY ASKED QUESTIONS AND ANSWERS

I)HISTORIC BACKGROUND

Who are the Jews of the Middle East and North Africa?

- There has been an uninterrupted presence of large Jewish communities in the Middle East from time immemorial. 8th and 6th century BCE marks the beginnings of the ancient Jewish communities of the Middle East and North Africa.
- Hundreds of thousands of Jews resided in Arab countries for many centuries, in some cases, more than 2,000 years before the advent of Islam. Today, there remain a few thousand Jews scattered in a number of Arab states.
- Through a process of Arabization and Islamicization, these regions are now known as the "Arab world." Yet, non-Arab and non-Muslim minorities, the original indigenous inhabitants, remained as minorities in their own lands.
- While the Jews' presence under Muslim rule was marked by some golden periods of prosperity, however, Jews were often subjected to punishing taxes, forced to live in cramped ghetto-like quarters and relegated to the lower-levels of the economic and social strata.

How many Jews lived in Arab countries?

- In 1948, there were roughly 870,000 Jews living in Egypt, Iraq, Lebanon, Libya, Syria, Yemen, Morocco, Algeria and Tunisia.
- Today, less than 7,000 remain in these same countries.

What was the status of the Jews?

Under Islamic law Jews were considered second class citizens (dhimmis) but were given limited religious, professional and business opportunities. In some cases, their condition improved temporarily with the advent of colonialist influence on the Arab countries.

II)THE REFUGEES: JEWS AND ARABS

Why did they leave?

- After their rejection of the partition plan, virtually all-Arab countries declared war against the newly established State of Israel. This made the situation for Jews in Arab countries untenable, and caused a mass exodus from many countries. Some of the reasons why people left include:
 - o Discrimination/ Anti-Jewish legislation: Tunisia

 - Fear of violence/ rioting: Yemen, Egypt, Morocco
 History of Fascist/Nazi persecution: Libya, Tunisia
 - o Rising tension of the Arab/Israeli conflict: Egypt

Where did the Jewish refugees go?

• Israel struggled to resettle some 600,000 at great cost. Some 300,000 others built new lives in France, Britain, Italy, Australia, Latin America, Canada and the US.

What were the properties lost?

- Personal (e.g. homes, businesses, land, pensions, benefits)
- Assets belonging to the community or collective (e.g. schools, synagogues, hospitals and cemeteries.)
- No systematic, comprehensive compilation of records and claims has ever been done, although the World Organization for Jews from Arab Countries put the value of Jewish assets left behind at \$100 billion.

Why has little been heard about these Jewish refugees?

• Because they did not remain refugees for long, and were successfully integrated by Israel and other host countries.

Do the Jews wish to 'return'?

• There was an exchange of almost equal numbers of Arab and Jewish refugees between Israel and the Arab world. Virtually no Jews wish to 'return' to Arab countries. These Jewish refugees are living proof that all refugees can start afresh provided their host countries have the will to resettle them.

Why is the issue of the Jewish refugees central?

- History: the truth about the Jewish refugees must be told. Too many people view the Middle East conflict through a distorted prism which expunges the Jewish refugee narrative.
- Morality and legality: the plight of the Jewish refugees is an unresolved human rights issue. There is a moral imperative that justice be done and that the rights of Jewish refugees from Arab countries assumes its rightful place on the international agenda.
- Peace: for any peace process to be credible and enduring, all outstanding issues must be addressed.

What did the UN do for Jewish refugees?

• The UN High Commissioner for Refugees recognized displaced Jews as *bona fide* refugees but offered no help. The UN General Assembly has not passed a single resolution on the plight of Jewish refugees, whilst it has passed 10l resolutions about the Palestinian Arab refugees and dedicated an agency, UNWRA, to their exclusive care.

Do the Jewish refugees feature in blueprints for Middle East peace?

• UN security council resolution 242, the Madrid peace conference, the Road Map and the bilateral agreements between Israel and Egypt, Jordan and the Palestinians all refer to a just solution of the 'refugee problem' – never distinguishing between Jews and Arabs.

III) INTERNATIONAL RIGHTS AND REDRESS CAMPAIGN

Is the campaign for Jewish refugees a "tit-for-tat" response to Palestinian claims?

• The legitimate call to secure rights and redress for former Jews displaced from Arab countries is not a campaign against Palestinian refugees. It is a "stand alone" campaign. It would be inaccurate and counterproductive to link the legitimacy of the rights for Jews displaced from Arab countries to the issues concerning Palestinian refugees. They are neither identical, nor symmetrical.

Is the campaign for Jewish refugees all about compensation?

• This is not a campaign about money or about initiating legal proceedings. It is a campaign to inject this issue into the international political agenda as a quest for truth and justice.

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

• Two Middle East refugee populations were created as a result of the Arab-Israeli conflict: one Palestinian and one Jewish. Both issues must be dealt with in the context of the Middle East peace process.

Wasn't the Arab backlash against Middle Eastern and North African Jews understandable because of the Arab-Israeli conflict?

• No. If the Jews of Arab states were truly seen by their neighbors and governments as equal citizens than the anti-Jewish rioting, massacres and expulsions would not have taken place.

Why not just give Jews from Arab states the 'right of return' to their former homes?

• Jewish refugees do not want to return to countries that persecuted them. Arab regimes remain hostile to Israel and Jews. There was a population exchange – Palestinians went to some Arab countries and Jews came to Israel.

Were Jewish refugees from Arab states treated differently than the Arab refugees from Palestine?

- Yes. Jewish refugees were economically and socially absorbed into Israel, whereas the Palestinian Arab refugees were deliberately herded into refugee camps by their host Arab states, to be used as a political weapon in their struggle against Israel.
- Palestinian Arab refugees have received massive political and material support from the United Nations. Jewish refugees from Arab states received no financial support whatsoever from the international community and have not been granted any international political recognition of their plight.

IV) REGISTRATION CAMPAIGN

Why is it important now to register the family narratives and losses of Jews who were displaced from Arab countries?

- 1) If *Sephardi-Mizrahi* Jews don't tell their story, who will? Our children and grandchildren need to know where our people came from and what they lived through.
- 2) Only 30% of those who left Arab countries are still alive to tell their stories. This is our last, best chance to record this period of Jewish history; to ensure that the story and legacy of 3,500 years of *Sephardi-Mizrahi* Jewish life in the Middle East, North Africa and the Gulf is not lost forever.
- 3) We must collect the evidence to prove false those in the Arab world who claim that there were never any large Jewish communities; that Jews were treated well; and that they left of their own free will. We must refute these distortions of history.
- 4) We must register the testimonies and preserve the evidence that will comprise any future claims for reparations for the individual and communal properties and other assets that were expropriated and/or lost.
- 5) We must ensure justice for Jewish refugees from Arab countries, for no peace can be reached without recognition of, and redress for, the uprooting of centuries-old Jewish communities and the displacement of up to one million Jews from North Africa, the Gulf and the Middle East.

What can we do to help?

- The Israeli Cabinet passed a resolution in December 2003 throwing its full weight behind the campaign for Jewish refugees. Jewish communities should be raising the issue whenever they can. They should organize lectures, film shows and publicize the need to document losses.
- For a list of what individuals can do to help, please go to: justiceforjews.com/action.pdf



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BACKGROUND ON MIDDLE EAST REFUGEES

- When the issue of 'refugees' is raised within the context of the Middle East, people invariably refer to 'Palestinian refugees', not Jews displaced from Arab countries. Neither the mass violations of human rights nor the displacement of Jews from Arab countries has ever been adequately addressed by the international community.
- Jews and Jewish communities have existed in the Middle East, North Africa and the Gulf region for many centuries. Following the Moslem conquest of the region, under Islamic rule, Jews were considered second-class citizens but were, for a period of time, permitted limited religious, educational, professional and business opportunities.
- This changed 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. 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.
- Upon the declaration of the State of Israel in 1948, the status of Jews in Arab countries worsened dramatically as 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.
- The result from over 1,000,000 Jews resident in North Africa, the Middle East and the Gulf region at the turn of the century, it is estimated that less than 5,000 Jews remain to-day in Arab countries.
- As a matter of law and equity, history reveals that there were two refugee populations created as a result of the longstanding dispute in the Middle East.
- It would constitute an injustice, were the international community to recognize rights for one victim population Palestinian refugees without recognizing equal rights for other victims of that very same Middle East conflict former Jewish, Christian and other refugees from Arab countries.

FACTS ON MIDDLE EAST REFUGEES

- For over 2,500 years, Jews in substantial numbers resided in areas that are today Arab countries (e.g. Egypt, Algeria, Iraq, etc.) fully 1,000 years before the advent of Islam.
- The exodus of Jewish refugees from Arab countries occurred mainly between 1940s and the 1970s. In fact, there were more Jews displaced from Arab countries (856,000)¹ than there were Palestinians who became refugees as a result of the 1948 Arab Israeli war (726,000)².
- On two separate occasions the United Nations High Commissioner for Refugees (UNHCR) ruled that Jews fleeing from Arab countries were indeed 'bona fide' refugees who "fall under the mandate of my (UNHCR) office".
- The statistics are stark: 856,000 Jews from Arab countries in 1948 reduced to 7,800 in 2001.

| | 1948 | 1958 | 1968 | 1976 | 2001 |
|---------|---------|---------|--------|--------|-------|
| Aden | 8,000 | 800 | 0 | 0 | 0 |
| Algeria | 140,000 | 130,000 | 1,500 | 1,000 | 0 |
| Egypt | 75,000 | 40,000 | 1,000 | 400 | 100 |
| Iraq | 135,000 | 6,000 | 2,500 | 350 | 100 |
| Lebanon | 5,000 | 6,000 | 3,000 | 400 | 100 |
| Libya | 38,000 | 3,750 | 100 | 40 | 0 |
| Morocco | 265,000 | 200,000 | 50,000 | 18,000 | 5,700 |
| Syria | 30,000 | 5,000 | 4,000 | 4,500 | 100 |
| Tunisia | 105,000 | 80,000 | 10,000 | 7,000 | 1,500 |
| Yemen | 55,000 | 3,500 | 500 | 500 | 200 |
| TOTAL⁴ | 856,000 | 475,050 | 72,600 | 32,190 | 7,800 |

- Since 1947, the United Nations General Assembly's predominant focus has been on Palestinian refugees:
 - a) 681 resolutions on the Middle East conflict, including 101 resolutions on Palestinian refugees;
 - b) Numerous UN agencies and organizations mandated or newly created to provide protection and relief to Palestinian refugees; and
 - c) Over the last 58 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.
- In all relevant international bilateral or multilateral agreements, (i.e. UN Resolution 242, The *Road Map*, *The Madrid Conference*, etc.), the reference to 'refugees' is generic, allowing for the recognition and inclusion of *all* Middle East refugees Jews, Christians and other minorities.

Estimates based on UN document "Trends and Characteristics of International Migration since 1950 – Refugee Movements and Population Transfers" (UN Department for Economic and Social Affairs, Demographic Study No. 64 ST/ESA/Ser. A/64).

² United Nations Conciliation Commission for Palestine, P. 18; United Nations. *Annual Report of the Director Genera of UNWRA*, Doc. 5224/5223. 25 November 1952

Mr. Auguste Lindt, United Nations High Commissioner for Refugees, Report of the UNREF Executive Committee, Fourth Session – Geneva 29 January to 4 February, 1957; and Dr. E. Jahn, Office of the UN High Commissioner, United Nations High Commissioner for Refugees, Document No. 7/2/3/Libya, July 6, 1967.

⁴ Figures derived from Maurice Roumani, '83; and the American Jewish Yearbooks- 1958-1988

WHY DID JEWS FROM ARAB COUYNTRIES GO TO ISRAEL

On May 14, 1948 the State of Israel was proclaimed. *Aliyah* - the ingathering of the exiles - is a fundamental aspiration of Zionism and the State of Israel.

The Proclamation of the Establishment of the State of Israel stated:

"The State of Israel will be open for Jewish immigration and the ingathering of the exiles; it will foster the development of the country for all its inhabitants; it will be based on freedom, justice, and peace as envisaged by the prophets of Israel; it will ensure complete equality of social and political rights to all its inhabitants irrespective of religion, race or sex..."

This was followed in 1950 by the <u>Law of Return</u>, which granted every Jew the automatic right to immigrate to Israel and become a citizen of the state. With the gates wide open after statehood was declared, a wave of mass immigration brought 687,000 Jews to Israel's shores. By 1951, the number of immigrants more than doubled the Jewish population of the country in 1948. The immigrants included, inter alia, survivors of the Holocaust from displaced persons' camps in Germany, Austria and Italy; a majority of the Jewish communities of Bulgaria and Poland and one third of the Jews of Romania; and nearly all of the Jewish communities of Libya, Yemen and Iraq.



Ma'abara - camp for new immigrants during the early years of the state

The immigrants encountered many adjustment difficulties. The fledgling state had just emerged from the bruising war of independence, was in grievous economic condition, and found it difficult to provide hundreds of thousands of immigrants with housing and jobs. Much effort was devoted towards absorbing the immigrants: *ma'abarot* - camps of tin shacks and tents - and later permanent dwellings were erected; employment opportunities were created; the Hebrew language was taught; and the educational system was expanded and adjusted to meet the needs of children from many different backgrounds.

Additional mass immigration took place in the late 1950s and early 1960s, when immigrants arrived from the newly independent countries of North Africa, Morocco and Tunisia. Since the establishment of the State, more than two and a half million immigrants have arrived; their expertise and talents have contributed immeasurably to the country's economic, scientific, academic and cultural life.

WHY DO THEY COME?



The reasons why Jews immigrate to Israel run deep within the history, faith and psyche of the Jewish people. According to the Hebrew scriptures, God gave the Land of Israel to Abraham and his descendants for all time. The believing Jew, therefore, sees the Land as part of the religious/national heritage of the Jewish people, and attaches special merit to living there. Modern Zionism, the century-old political movement for the return of the exiled Jewish people to their historic homeland, is the secular side of this same coin: inspired by a mix of 19th century

nationalism and centuries of Jewish homelessness and oppression, Zionism sees Israel as the Jewish homeland a place where all Jews can achieve fullest expression of their Jewish identity as well as a refuge for the persecuted.

These two approaches converge to make living in Israel an ultimate assertion of Jewishness, and immigrating there is considered by many Jews and Israelis to be an admirable and praiseworthy move. The Hebrew word for immigration (aliyah) means ascent or a spiritual going up. In marked contrast, therefore, to almost every other nation where immigrant communities are discouraged, restricted or regarded as second-rate citizens Israel not only welcomes its immigrants but also rejoices in them. It purposefully attracts them with job retraining, housing and tax concessions. A downswing in immigration figures is cause for national concern.

WHO COMES?

By far the largest numbers of immigrants come to Israel from what Israelis term the countries of distress places where Jews are unwelcome, harassed or actively persecuted. Throughout its 50 years, however, Israel has also welcomed hundreds of thousands of emigrants from the free world people driven principally by idealism. Some 200,000 have immigrated to Israel from America during this period, and more than double that number from Western Europe (not including Holocaust survivors).

Early Years of Statehood. The greatest influx of immigrants to Israel arrived during the first three years of statehood. Between 1948 and 1951, 688,000 people came, more than doubling the young country's Jewish population. Almost half these people came from post-Holocaust Europe from its displaced persons camps, detention centers and destroyed communities. Most of the others were from Islamic countries in Africa and the Middle East, where the establishment of Israel placed them in danger.

Israel helped as much as it could. Marseilles, for example, was turned into a take-off point for European immigrants. While they waited for ships, Israel, through the Jewish Agency, helped house and feed the immigrants, as well as teach them Hebrew. In May 1949, when the Imam of Yemen agreed to let 45,000 of the 46,000 Jews in his country leave, Israeli transport planes flew them home in the fabled Operation Magic Carpet. In 1951, in another magnificently organized airlift Operation Ezra and Nehemiah 121,000 Jews were brought to Israel from Iraq, ending 2,500 years of Jewish life there. Libyan Jewish life ended that same year, with the emigration of its 32,000 Jews to Israel.

Israel welcomed this flood of humanity with 123 transit camps, 260 new settlements and 78,000 housing units. By the mid-1950s, almost all the newcomers were in permanent housing.

Source: Foreign Ministry of the State of Israel

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Legal and Political Bases for the Rights of Former Jewish Refugees

In 2002, *Justice for Jews from Arab Countries* convened an international Committee of Legal Experts, Chaired by Prof. David Matas, that produced a report entitled: "*Jewish Refugees from Arab Countries: The Case for Rights and Redress*". This report documents strong political and legal arguments for the legitimate rights of Jews displaced from Arab countries. The following are examples:

A) <u>United Nations High Commissioner for Refugees</u>

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.

B) <u>UN Resolution(s)</u>

On November 22nd, 1967, the Security Council unanimously adopted, Resolution 242, laying down the principles for a peaceful settlement in the Middle East. Still considered the primary vehicle for resolving the Arab-Israel conflict, Resolution 242 stipulates that a comprehensive peace settlement should necessarily include "*a just settlement of the refugee problem*." No distinction is made between Arab refugees and Jewish refugees.

The international community's intention to have Resolution 242 include the rights of Jewish refugees is evidenced by the fact that during the UN debate, the Soviet Union's delegation attempted to restrict the "just settlement" mentioned in Resolution 242 solely to Palestinian refugees. (S/8236, discussed by the Security Council at its 1382nd meeting of November 22, 1967, notably at paragraph

117, in the words of Ambassador Kouznetsov of the Soviet Union). This attempt failed clearly signaling the intention of the international community <u>not</u> to restrict the "just settlement of the refugee problem" merely to Palestinian refugees.

Moreover, Justice Arthur Goldberg, the United States' Chief Delegate to the United Nations, who was instrumental in drafting the unanimously adopted U.N. Resolution 242, has pointed out that:

"A notable omission in 242 is any reference to Palestinians, a Palestinian state on the West Bank or the PLO. The resolution addresses the objective of 'achieving a just settlement of the refugee problem.' This language presumably refers both to Arab and Jewish refugees, for about an equal number of each abandoned their homes as a result of the several wars...."

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C) Multilateral Initiatives

• <u>The Madrid Conference</u>, which was first convened in October 1991, launched historic, direct negotiations between Israel and many of her Arab neighbors.

In his opening remarks at a conference convened to launch the multilateral process held in Moscow in January 1992, then-U.S. secretary of state James Baker made no distinction between Palestinian refugees and Jewish refugees in articulating the mandate of the Refugee Working Group as follows: "The refugee group will consider practical ways of improving the lot of people throughout the region who have been displaced from their homes." ⁶

• The Roadmap to Middle East peace currently being advanced by the Quartet (the U.N., EU, U.S., and Russia also refers in Phase III to an "agreed, just, fair and realistic solution to the refugee issue", language applicable both to Palestinian and Jewish refugees.

D) Bilateral Arab-Israeli Agreements

Israeli agreements with her Arab neighbors allow for a case to be made that Egypt, Jordan and the Palestinians have affirmed that a comprehensive solution to the Middle East conflict will require a "just settlement" of the "refugee problem" that will include recognition of the rights and claims of all Middle East refugees:

• <u>Israel – Egypt Agreements</u>

The Camp David Framework for Peace in the Middle East of 1978 (the "Camp David Accords") includes, in paragraph A(1)(f), a commitment by Egypt and Israel to "work with each other and with other interested parties to establish agreed procedures for a prompt, just and permanent resolution of the implementation of the refugee problem."

Article 8 of the *Israel – Egypt Peace Treaty* of 1979 provides that the "*Parties agree to establish a claims commission for the mutual settlement of <u>all financial claims</u>." Those claims include those of former Jewish refugees displaced from Egypt.*

⁵ Goldberg, Arthur J., "Resolution 242: After 20 Years", published in <u>Security Interests</u>, National Committee on American Foreign Policy, April 2002.

⁶ Remarks by Secretary of State James A. Baker, III before the Organizational Meeting for Multilateral Negotiations on the Middle East, House of Unions, Moscow, January 28, 1992.

• <u>Israel – Jordan Peace Treaty, 1994</u>

Article 8 of the *Israel – Jordan Peace Treaty*, entitled "Refugees and Displaced Persons" recognizes, in paragraph 1, "the massive human problems caused to both Parties by the conflict in the Middle East". Reference to massive human problems in a broad manner suggests that the plight of all refugees of "the conflict in the Middle East", includes Jewish refugees from Arab countries.

• Israeli-Palestinian Agreements, 1993-

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

E) Recognition by Political Leaders

• Former **U.S. President Bill Clinton** made the following assertion after the rights of Jews displaced from Arab countries were discussed at 'Camp David II' in July, 2000 (From White House Transcript of Israeli television interview):

"There will have to be some sort of international fund set up for the refugees. There is, I think, some interest, interestingly enough, on both sides, in also having a fund which compensates the Israelis who were made refugees by the war, which occurred after the birth of the State of Israel. Israel is full of people, Jewish people, who lived in predominantly Arab countries who came to Israel because they were made refugees in their own land".

• Former **U.S. President Jimmy Carter**, after successfully brokering the Camp David Accords and the Egyptian-Israeli Peace Treaty, stated in a press conference on Oct. 27, 1977:

"Palestinians have rights... obviously there are Jewish refugees...they have the same rights as others do."

• Canadian Prime Minister Paul Martin stated, in a June 3rd, 2005 interview with the Canadian Jewish News which he later reaffirmed in a July 14, 2005 letter:

"A refugee is a refugee and that the situation of Jewish refugees from Arab lands must be recognized. All refugees deserve our consideration as they have lost both physical property and historical connections. I did not imply that the claims of Jewish refugees are less legitimate or merit less attention than those of Palestinian refugees."

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SEPHARDIC AND MIDDLE EAST WEBSITES

| Justice for Jews from Arab Countries | The coordinating body seeking rights and redress for Jews from Arab countries. http://www.justiceforjews.com |
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| Palestine Facts | Explanation of exodus of Jews from Arab countries and links to web sites on related matters. from Palestine facts. http://www.palestinefacts.org/pf independence refugees Jews why.php |
| Jews of Africa | History and narrative of the Jews from North Africa including Morocco, Tunisia and South Africa. Developed by freelance journalist, historian and activist Jay Sand. http://www.mindspring.com/~jaypsand/ |
| Anti-Semitism in Arab Countries | Country by country breakdown of anti-Semitism, history and expulsion of Jews from Arab countries. From the Institute for Jewish Policy Research. http://www.axt.org.uk/ |
| Statistics communities in Tunisia and Algeria | Contacts, statistics and information for those communities from Am Yisrael, 2004. http://www.amyisrael.co.il/africa/ |
| Information on Jews from Arab countries | Information on Jews from various Arab countries before and after 1948, from the Citizens for Netanyahu. http://www.netanyahu.org/jewinarcounb.html |
| Portal about Jews from Arab countries | Links, history and cultural information. from Arab gateway http://www.al-bab.com/Arab/background/Jews.htm |
| JIMENA - Jews Indigenous to the Middle East and North Africa | News, views, historical survey and statistics about Jews that come from the Middle East and North Africa, sponsored by the JCRC of San Francisco, the Peninsula, Marin, Sonoma, Alameda and Contra Costa Counties. http://www.jimena.org |
| Jewish Losses | Asset loses and information on the Jews that fled Arab countries, issued by the <i>Israel Report</i> . http://www.cdn-friends-icej.ca/isreport/janfeb01/assets.html |
| Articles and Websites about Jewish refugees | Articles and Websites about Jewish refugees from Arab countries. From University at Buffalo Law School, Jewish Law Student Association. http://wings.buffalo.edu/law/jlsa/Jews_Arab_lands.htm |
| General overview of each Arab country and what it did to the Jews | Country breakdown and seizure information about Jews from Arab countries. from Houston based Freeman Center for Strategic Studies. http://www.freeman.org/m_online/jun98/zoa.htm |
| Relationship of Muslims and non-Muslims | Status of ethnic minorities under Islamic rule. From Bat Ye'or. http://www.dhimmitude.org/ |
| Jewish Narratives | Outlines the narratives Jews from settlement to expulsion in Arab countries. http://www.eretzyisroel.org/~peters/arabjew.html |

| The Forgotten Middle East Refugees | Site containing papers and reports from Jews from Arab countries. Compiled by the International Forum For The Literature And Culture Of Peace. http://jac.up.co.il/ | |
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| Articles on Jew from Arab Lands | Explores refugee issues and explanations on Jewish refugees from Arab countries. Includes links to media, essays and pictures. http://www.peacewithrealism.org/jewarab1.htm | |
| Myths and Facts | Myths & Facts Online: The Treatment of Jews in Arab/Islamic Countries, by Mitchell G. Bard. http://www.jewishvirtuallibrary.org/jsource/myths/mf15.html | |
| Rights of Jews from Arab Lands | Israel Ministry of Justice web site. http://www.justice.gov.il/mojeng/rights+of+Jews+from+Arab+lands/ | |
| Research on Jews from Iraq | The Babylonian Jewry Heritage Center is both a research institute and a museum, with an impressive collection of ethnographic material, Judaica, archival documents, books and manuscripts. http://babylonjewry.org.il/new/english/index.html | |
| Sephardic Genealogy | Research Tool for Sephardic Genealogy / Jewish Genealogy http://www.sephardim.com | |
| Out of Spain | Out of Spain is a collection of multi-media resource materials and student books for the Jewish classroom. http://www.outofspain.com | |
| Sephardic Cooking Links | Links and information on Sephardic dishes from around the world. http://www.sephardim.com/html/recipes.html | |
| Sephardic Holocaust Project | A site focusing on Sephardic Jews in relation to Holocaust studies, a subject often overlooked. http://www.holoseph.org | |
| Sephardic History (in Spanish) | Website covering Sephardic history in Spain and then subsequent country resettlement. http://sefarad.rediris.es | |

Websites - Middle East Historical Maps

(Note: All Websites were screened and were functional and available as of August 2007.)

- 1) http://www.lib.utexas.edu/maps/historical/history_middle_east.html
- 2) http://www.mideastweb.org/palmaps.htm
- 3) http://www.dartmouth.edu/~gov46/
- 4) http://jewishhistory.huji.ac.il/links/Maps.htm
- 5) http://www.globalsecurity.org/military/world/israel/maps-evolution.htm
- 6) http://www.netaxs.com/~iris/sizemaps.htm
- 7) http://www.palestinefacts.org/pf_maps.php

SELECTED VIDEOS AND FILMS

The Forgotten Refugees - A documentary film and educational portal about the mass exodus of up to one million Jews from Arab countries and Iran in the 20th century. By *The David Project*, non-profit educational initiative. Available through www.theforgottenrefugees.com

The Silent Exodus - And if they came from Morocco, Algeria, Tunisia, Libya, Egypt, Syria, Iraq or from Yemen, if they had lost everything, even their relatives and their cemeteries, they were ready to rebuild their lives in the West and for many - in Israel - and try to forget their past—without ever asking for compensation or the right of return, or even wishing that their story be told. A film by documentarian Pierre Rehov. Available through www.pierrerehov.com or Haggiti@hotmail.com

The Last Jews of Baghdad: End of an Exile, Beginning of a Journey - The Last Jews of Baghdad takes a historical and personal look at the persecution, torture, escape and exodus of over 160,000 Iraqi- Jews between the years 1940 through 2003. Hear from the survivors the real reasons why they left their beloved homeland of over 2500 years and if they will ever return. A documentary film by Carole Basri, Adriana Davis and Bryan Durr. Available through www.lastjewsofbaghdad.com

L'Exode oublié, Juifs des pays arabes (Forgotten Exodus, Jews of Arab Countries)

Documentary film in French by Moise Rahamni. Available through:

www.moise.sefarad.org/ouvrages/arabe/index.html

Our Time To Speak - Video produced by the Association of Jews from Egypt and recording the testimonies of Jews who fled Egypt. Available from Maurice Maleh, 4 Folly Close, Radlett, Herts (01923 85 6801).

From Morocco to Montréal - Solly Lévy from Morocco to Montréal takes the audience into the world of Solly Lévy, a Sephardic Jew who came to Canada from Morocco in 1968. www.whitepinepictures.com

Jew of Iran - This film concentrates on Jews living in Iran presently, with an eye on recent historic developments. In Tehran, young and old Jews speak about different kinds of discrimination as well as friendships between two tolerant Muslim and Jewish families. *NIK Media*, The Netherlands. www.joodseomroep.nl

Day of Deliverance - Composed of footage showing the historic break-up for the DP camps of Germany following WWII, on the closing of the Cyprus detention camps, and on Operation Magic Carpet which brought the Jews of Yemen to Israel. By the *American Jewish Joint Distribution Committee*. www.yivoinstitute.org

A Summer in La Goulette - A comedy that explores the complicated relationships in the Middle East. The place is La Goulette, a small Tunisian harbor town. The time is a few months before the 6-Day War in June 1967, a time when people of different religions in North Africa exist side by side. Flach Pyramide Intnl. French with English subtitles. www.jhvc.org

Doda Diya - Diya, is a widow. She lives a simple life. She has waited 40 years to return to the Island of Djerba. It is her dream. She arrives in Tunisia and Djerba with hundreds of other Jews for a memorial event in celebration of a righteous woman. *Maale School of TV Film and Arts, Jerusalem*. Hebrew with English subtitles. mahale06@inter.net.il

Home - As a Baghdad-born Israeli family watch the live CNN images of the Gulf War on their television, the images of bombed-out Baghdad evoke potent memories of their Iraqi-Jewish past. *The Jerusalem Film & Television School.* (972) 2/731-950 / fax:(972) 2/731-949 www.jsfs.co.il

I Miss The Sun - Mary Halawani, the filmmaker, takes a look at the life of her grandmother, Rosette Hakim, who was born in Egypt. She uses the Pesach seder, which tells the story of the Hebrew's exodus from Egypt, as a symbol of her grandmother's exodus from modern Egypt. National Center for Jewish Film or (718) 858-4898. www.brandeis.edu/jewishfilm

In The Beginning: Once Upon a Time... There Were Arab Jews - A story of Jews living in the Islamic world as neighbors with Moslems. The memories of 3 generations of a family now living in France, but from Laghouat, Algeria. They recall a Islamic Jewish culture where Jews and Muslims worked, studied and socialized together, and sought common ground in the Torah and the Koran. French and Arabic with English Subtitles; Les Films d'ici, films.dici@wanadoo.fr Tel: 33 1 4452 2323.

The Jews of Djerba [Tunisia] - This video explores the rich history and customs of this unique place. The Jews left Babylon over 2,500 years ago and were scattered over a wide geographical terrain. The Jewish community on this island sees itself as the remnant of an earlier congregation, and it claims to have the "Ghriba" stones from the Temple. National Center for Jewish Film www.brandeis.edu/jewishfilm

Soleil - Professor Levy, a surgeon in Paris, suffers a heart attack in the opening scene of the film, and flashes back to his Algerian Jewish boyhood. Sophia Loren acts in the role of his mother, Mamma Titine. It is a beautifully shot, sentimental but occasionally splendid evocation of a WWII boyhood in a large Jewish family in Algiers. Mamma raised five children, while Papa worked in a Paris post office under a non-Jewish name. Meyer is her favorite, yet rebellious, child. In Vichy controlled Algeria, Meyer is expelled from school at age 13, but reinstated. *President Films*, 2 rue Lord Byron, Paris 75008, France, 011-33-1-45-628222

Braids - Based on a true story, Braids tells the tale of So'ad, a fourteen-year-old Jewish girl imprisoned by the Iraqi government in 1947 for her participation in the Zionist movement. The film illuminates a complex and sensitive period of Jewish life in Iraq when Jews felt their security threatened as antisemitism surfaced with the growth of Zionism. Jailed for three years, So'ad joined other political prisoners in a campaign of disobedience until Iraq opened its gates in 1950 and allowed Jews to emigrate to Israel. This program holds strong appeal for those interested in Sephardic culture. Israel Educational TV; National Center for Jewish Film www.brandeis.edu/jewishfilm

Nana: Un Portrait - From her apartment in New York, eighty-year-old Louise Zilkha reviews the highlights of her life that began with a traditional Jewish upbringing in Baghdad. Zilkha reminisces about her youth, of playing Queen Esther and of her arranged courtship and marriage to a leading Middle Eastern banker. She talks about the often turbulent coexistence of Iraqi Jews and Moslems, and of the persecution and threats that led the family on a journey out of Iraq to Beirut, Cairo, and finally, New York. The film is at once a very personal portrait and a documentary tribute to a lost culture. *National Center for Jewish Film* www.brandeis.edu/jewishfilm

Pillar of Salt - Based on the autobiographical novel by sociologist Albert Memmi, Pillar of Salt captures the cultural richness and social complexity of a Jewish boy's life in Tunisia, North Africa. Alexander, age 13, is an expressive and intelligent boy who sensitively responds to conflicting pressures from surrounding French and Arab societies. A rare opportunity to see the unique customs of Jewish life in Tunisia, including Sabbath dinner and Alexander's bar mitzvah. *National Center for Jewish Film* www.brandeis.edu/jewishfilm

Return to Oulad Moumen - In south Marrakesh amidst the olive groves lies the village of Oulad Moumen where Habiba and Yossef Edery began their family in the 1920s. Director Genini, the youngest of the nine Edery children, organized a family reunion in 1992 to bring her family (now dispersed geographically and culturally) together in the place where is all began. 50 members of the family, came from Morocco, France, America, Canada, Mexico, Italy, and Israel to Oulad Moumen to learn of the dynasty's origins. Genini melds the family reunion with archival photos, giving both a personal view of a Sephardic family and a historical picture of Jewish-Arabic-Berber coexistence in Oulad Moumen. National Center for Jewish Film www.brandeis.edu/jewishfilm