

SUBMISSION TO THE ROYAL COMMISSION ON ANTISEMITISM AND SOCIAL COHESION

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My submission relates to the following terms of reference of the Royal Commission:

- The nature and prevalence of antisemitism in institutions and society.
- Key drivers of antisemitism in Australia.
- Religious and ideologically motivated extremism and radicalisation.

The author of this submission is not Jewish but has visited Israel many times over the past four decades and has lived there for some months every year for some years.

The submission addresses the issues raised by the spokespersons for the Palestinians, and provide evidence for the truth, in contrast to the version which they submit. The submission covers the following:

- The legitimacy of Israel
- Who are the Palestinians?
- Palestinian refugees & UNWRA
- Genocide accusation
- Apartheid state accusation
- Australia's relationship with Israel

LEGITIMACY OF ISRAEL

Delegitimation

Delegitimation is the process of creating a situation in which a group of people are excluded from society. The treatment of Jews by the Nazis in the 1930s was delegitimation. They ceased being a legitimate part of society and were not even regarded as human. Today antisemitism is attempting to do this on a global scale – isolating Israel and seeking to remove the basis of its legal, moral, and political legitimacy.

Indigenous inhabitants, not a colonial outpost

Israel is not a colonial outpost but rather an indigenous people, returning to their ancient homeland. 4,000 years ago, God promised the land to Abraham, who the Jewish people call their father (Isaiah 51:2), and his descendants.

In Genesis 12:7 the Lord said to Abram, "To your seed I will give this land." This was reaffirmed in Genesis 13:14 – 17:

14 The Lord said to Abram ..., "Look around from where you are, to the north and south, to the east and west. 15 All the land that you see I will give to you and your offspring forever. 17 Go, walk through the length and breadth of the land, for I am giving it to you."

The Jewish people settled the land from the time of Joshua through to modern times. However, most of them were driven from the land and were scattered among many nations, particularly in Europe, North Africa, and the Middle East before starting to return in the 19th century.

Hence, they are the indigenous people of the land, not colonisers.

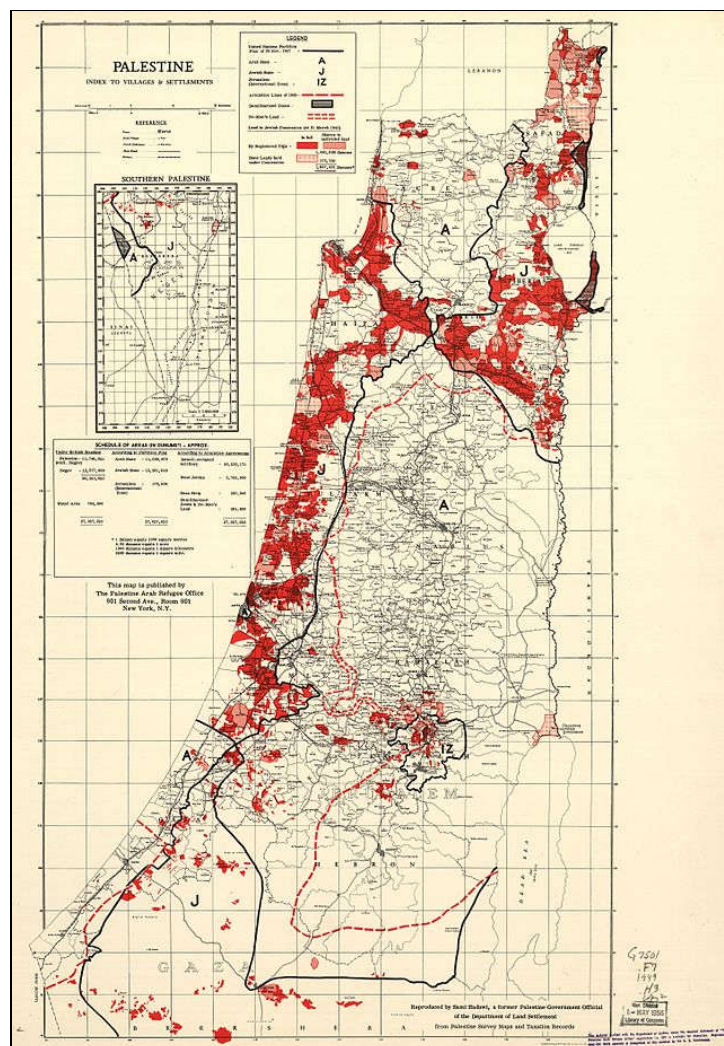
The real colonisers are the Arab Moslems who spread from Saudi Arabia to occupy the Middle East, North Africa, and parts of Europe.

Jews purchase land

In a passage which is used as the prayer for the State of Israel and which is recited on the Jewish Shabbat and holidays in synagogues around the world, Moses prophesied:

⁴ Even if you have been banished to the most distant land under the heavens, from there the Lord your God will gather you and bring you back. ⁵ He will bring you to the land that belonged to your ancestors, and you will take possession of it. He will make you more prosperous and numerous than your ancestors. (Deuteronomy 30:4 – 5)

Beginning in the 1880s, the Jewish National Fund (founded in 1901) bought land in Palestine (as it was then named), mostly from absentee landowners in Lebanon and also from Palestinian Arab landholders. Most of the land was along the coastal plain, in the Jezreel Valley and upper Jordan Valley and in the Galilee region. Land was also purchased in Jerusalem. The map shows the land owned by Jews in 1945.



Map of land purchases by Jewish National Fund as at 31st March 1945

The Balfour Declaration by Great Britain

On 2nd November 1917, the British Foreign Secretary, Arthur James Balfour wrote to Lord Rothschild the British Government's support of a Jewish homeland in Palestine.

Foreign Office
November 2nd, 1917

Dear Lord Rothschild,

I have much pleasure in conveying to you, on behalf of His Majesty's Government, the following declaration of sympathy with Jewish Zionist aspirations which has been submitted to, and approved by, the Cabinet.

"His Majesty's Government view with favour the establishment in Palestine of a national home for the Jewish people, and will use their best endeavours to facilitate the achievement of this object, it being clearly understood that nothing shall be done which may prejudice the civil and religious rights of existing non-Jewish communities in Palestine, or the rights and political status enjoyed by Jews in any other country."

I should be grateful if you would bring this declaration to the knowledge of the Zionist Federation.

Yours sincerely,
Arthur James Balfour

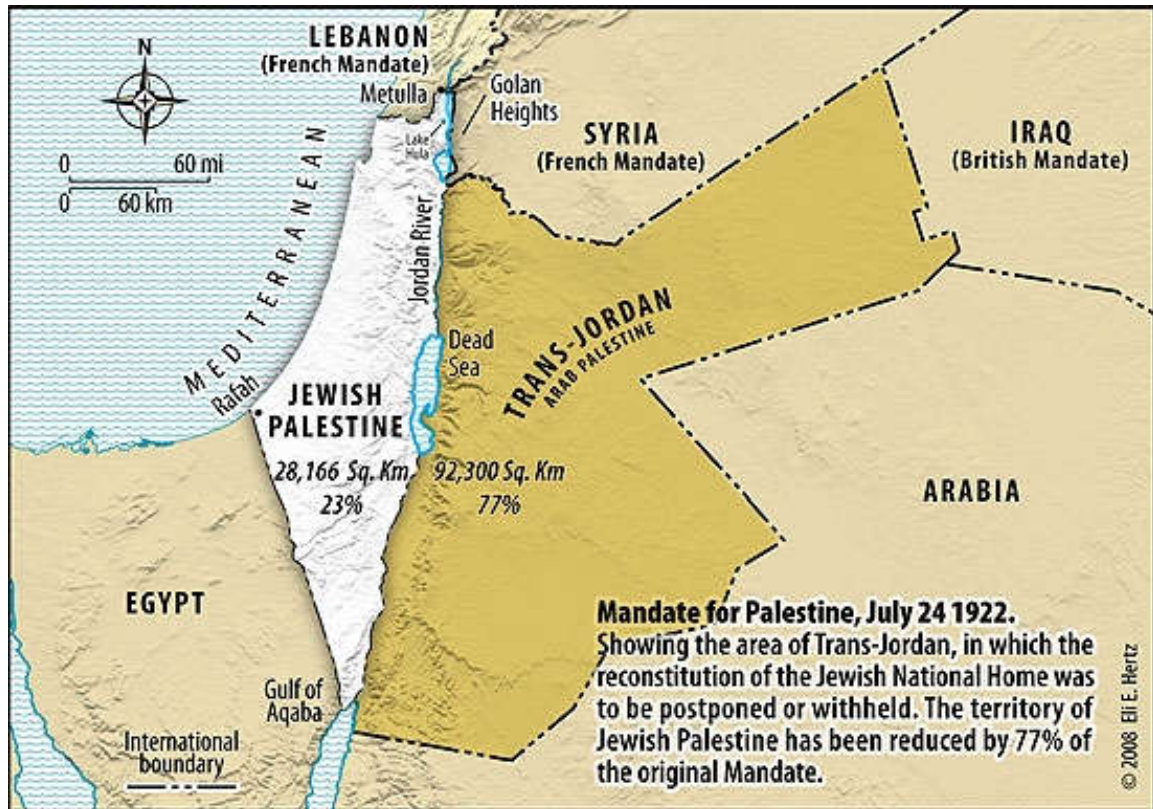
Significantly, the decision to approve the Balfour Declaration was made by the British Cabinet on 31st October, the day that Australian troops charged the Ottoman forces at Beersheba and took the city, paving the way for them to later take Jerusalem and march through to Damascus. Many Israelis credit Australia for helping to establish the State of Israel.

San Remo Resolution

Following World War 1, the Principal Allied Powers – the Prime Ministers of Great Britain, France and Italy and representatives of other nations including the US and Japan – met at San Remo, Italy and determined the allocation of League of Nations mandates for the former Ottoman-ruled lands in the Middle East.

On 25th April 1920 the San Remo Resolution incorporated the Balfour Declaration of 1917. The Mandate extended from the Jordan River to the Mediterranean Sea and included Galilee but not the Golan Heights. Note that it also included the entire area of Judea (south of Jerusalem) and Samaria (north of Jerusalem), the so called "West Bank." This constitutes the "River to the Sea" region screamed by Pro-Palestinian demonstrators as Palestine which means the extinction of Israel and death to its Jewish inhabitants. The San Remo resolutions were adopted by the League of Nations.

At San Remo, the international community granted Jews full legal rights to all of the geographical area of "Palestine". Jews and not Arabs, were granted full legal rights to that land. The 1917 Balfour Declaration at that conference which endorsed a "National Home for the Jewish people", was officially incorporated into international law. For the first time in over 1,800+ years since the 2nd Jewish-Roman war (132-135 AD/CE), Jews were legally entitled to gain control of their ancestral land. The League of Nations (pre-United Nations organization) endorsed the 1920 San Remo Conference resolutions. All other inhabitants of the land prior to this 1920 conference including the Ottoman Turks for 400 years (1517-1917), were viewed as being "colonizers" of that land ... not "legal owners".



Mandate for Palestine given to Great Britain

In 1921 the Colonial Secretary, Winston Churchill, carved off the area of the Mandate east of the Jordan River and established the Hashemite Kingdom of Jordan. This resulted in the land established for a Jewish homeland under the Balfour Declaration being reduced from 120,466 sq km to only 28,166 sq km, 23% of the original area.

Article 22 of the Covenant of the League of Nations established the framework for the mandates system, allowing certain nations to govern territories on behalf of the League until they could stand alone. Together with Article 22, the San Remo Resolution comprised the basic documents upon which the British Mandate for Palestine was constructed.

The Resolution read: "The Mandatory will be responsible for putting into effect the declaration originally made on November 8th, 1917, by the British Government, and adopted by the other Allied Powers, in favour of the establishment in Palestine of a national home for the Jewish people..." Britain was the Mandatory Power for 25 years from 29th Sept 1923 to midnight of 14th May 1948 when the State of Israel was proclaimed.

In 1945 with the establishment of the United Nations to replace the League of Nations, the Charter of the United Nations specifically included the so-called “Palestine clause” to guarantee continuity with respect to Jewish rights from the League of Nations.

Article 80: “... nothing in this Chapter shall be construed in or of itself to alter in any manner the rights whatsoever of any states or any peoples or the terms of existing international instruments to which Members of the United Nations may respectively be parties.”

This was a legal clause that protected the rights granted under the Mandates. It fixed them in place until a final political settlement might be concluded. No such settlement may supersede these rights. Therefore, the UN is not merely a bystander; it is the legal custodian of the Mandate’s provisions. **For the UN to actively oppose Jewish settlement in Judea and Samaria is for it to violate its charter.** This link in the chain from the League to the UN is not broken; it is legally binding and stands today as part of international law.

Thus, the legitimacy of Israel for the Jewish people foreshadowed by the Balfour Declaration of 1917, adopted by the San Remo Resolution of 1920, was confirmed by the United Nations Charter in 1945. It continues to legitimise the State of Israel to this day. The chain of legality is simple and unassailable.

Many people believe that Israel came about because of the Holocaust but actually the impetus for its establishment predated this by several decades. Its legal status originated with the Resolution of the San Remo Conference of the Allied Powers in April 1920.

Another fiction promoted by most UN member states is the “occupied Palestinian territories.” Much of the international community, and the United Nations in particular, stands in violation of its own legal obligations when it condemns the settlement activity that its foundational documents were designed to protect. Article 6 of the Mandate, preserved by Article 80 of the UN Charter, is the law. Article 6 stated that the British administration was responsible for facilitating Jewish immigration and promoting Jewish settlement on the land.

United Nations General Assembly resolutions against Israel – delegitimisation in practice

The United Nations General Assembly (UNGA) has, for many decades, adopted a disproportionately large number of resolutions directed against Israel compared with those directed at all other countries combined. While General Assembly resolutions are non-binding and do not create international law, they play a significant role in shaping international narratives, diplomatic pressure, and public perceptions of legitimacy.

From 2015 to 2024 the General Assembly adopted 173 resolutions against Israel, compared with 80 resolutions against all other countries combined. In 2025 alone, the UNGA adopted 15 resolutions concerning Israel, while only 11 resolutions addressed the entire rest of the world, including states such as North Korea, Iran, Myanmar, Russia, and the United States.

Israel is the only UN member state that is the subject of multiple standing agenda items in the General Assembly and its subsidiary bodies. Each year, a fixed set of Israel-related resolutions is introduced automatically, regardless of events on the ground. Many UNGA resolutions concerning Israel employ language that is one-sided, omit Palestinian or Arab responsibility, and pre-judge final-status issues such as borders, refugees, and Jerusalem.

While criticism of any state's policies is legitimate, the singling out of Israel—the world's only Jewish state—for persistent and disproportionate condemnation contributes to a broader process of delegitimisation. The cumulative effect of hundreds of repetitive, one-sided resolutions is not conflict resolution but the erosion of Israel's legal, moral, and political legitimacy in international forums—precisely the outcome that delegitimisation campaigns seek to achieve.

UN General Assembly resolutions against Israel are political instruments, not legal ones. They do not override, amend, or diminish:

- the binding legal rights recognised at San Remo (1920),
- the Mandate for Palestine, or
- the preservation of those rights under Article 80 of the UN Charter.

Claims that Israel's legitimacy or legal standing can be negated by General Assembly resolutions are therefore legally unfounded. At most, such resolutions reflect shifting political coalitions; they do not displace the enduring legal foundations upon which the State of Israel was established and continues to exist.

Settling the land

In the 19th century, the land was largely empty of people. In 1857, James Finn, the British Consul, observed that “the country is in a considerable degree, empty of its inhabitants.”

Mark Twain who visited the Holy Land in 1867 remarked: “This is a desolate country, a silent mournful expanse. There are two or three small clusters of Bedouin tents, but not a single permanent habitation. One may ride 10 miles and not see 10 human beings.”

During the time of the British Mandate (1917 – 1948), Arabs poured into the land to gain from the improved economy resulting from the immigration of Jews. Franklin D. Roosevelt and Winston Churchill both commented on the huge numbers of Arabs flooding into the country, all within the space of less than three decades.

Walid Sheobat, an Arab ex-terrorist and convert to Christianity from Islam stated: “Today's Palestinians are immigrants from throughout the region – Yemen, Saudi Arabia, Morocco, the Jordanians next door. My grandfather in Bethlehem told me his village of Beit Sahur was empty before his father settled there with six families.”

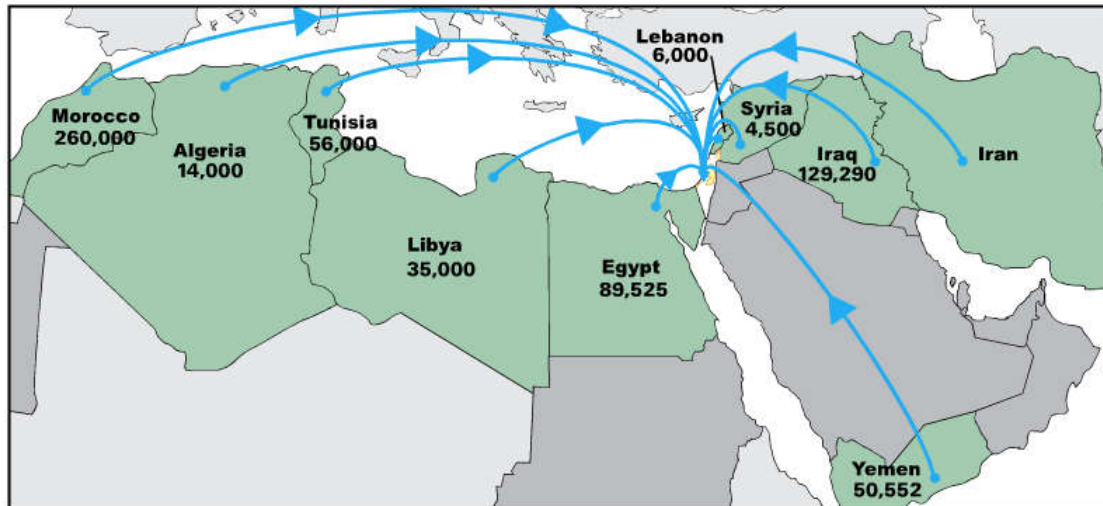
In her book, *From Time Immemorial*, Joan Peters compared the non-Jewish population with the Jewish population from 1893 to 1947. In 1893 it was 468,400 Arabs and by 1947 it had risen to 1,302,900, a nearly three-fold increase. She concluded that “the Arab population appears to have increased in direct proportion to the Jewish presence.”

Non-Jewish population

	No Jewish settlement	Light Jewish settlement	Heavy Jewish settlement
1893	337,200	38,900	92,300
1947	730,000	110,900	462,000

Following the establishment of the State of Israel in 1948, the Jews in Arab nations were forcibly evicted, often with only what they stood in.

1948-1978



Return of Jews from Arab countries

THE “PALESTINIAN” PEOPLE

A major lie that has been widely accepted is that the Palestinians are a distinct people group and that they constitute a nation. The following quotes from Palestinian leaders show that this is a lie.

“A Palestinian ‘people’ does not exist. The creation of a Palestinian state is only a means of continuing our struggle against the State of Israel. We are only Palestinians for political reasons. There is no difference between Jordanians, Palestinians, Syrians and Lebanese. We are all part of ONE people, the Arab nation. We are ONE people. Only for political reasons we carefully underwrite our Palestinian identity. Because it is of national interest for the Arabs to advocate the existence of Palestinians to balance Zionism. Yes, the existence of a separate Palestinian identity exists only for tactical reasons. The establishment of a Palestinian state is a new tool to continue the fight against Israel and for Arab unity.” Zahir Muhsein, PLO official, 1977.

“With the two-state solution... Israel will collapse, because if they get out of Jerusalem, what will become of all the talk about the Promised Land and the chosen people? What will become of all the sacrifices they made – just to be told to leave? They consider Jerusalem to have spiritual status. The Jews consider Judea and Samaria to be their historic dream. If the Jews leave those places, the Zionist idea will begin to collapse... Then we will move forward.” Abbas Zaki, Senior PLO official, ANB TV, Lebanon, 7 May 2009.

“Amplifying the dire danger that a Palestinian state would pose for Israel is the undisguised intention of the Palestinians, of all political persuasions, to exploit such a state as a platform for further assaults on the Jewish state, until “Palestine”, from the River to the Sea, is totally free of the “Zionist invader.” Of all the Palestinian lies there is no lie greater or more crushing than that which calls for the establishment of a separate Palestinian state in the West Bank ... Not since the time of Dr. Goebbels has there been a case in which continued repetition of a lie has borne such great fruits...”

Prof Amnon Rubinstein, far left Mertz party Member of Israel Knesset, former Minister of Education.

“I don’t think there is a Palestinian nation at all. I think there is an Arab nation. I always thought so... I think it’s a colonist invention – a Palestinian nation. When were there any Palestinians? Where did they come from?”

Azmi Bishar, Arab Member of Israel Knesset, 1994

Martin Sherman, Founder and Executive director, Israel Institute for Strategic Studies (www.strategic-israel.org) (*Jerusalem Post* 17 Oct 2014) wrote of the five transparent myths of the Palestinians: Myth of Palestinian Peoplehood, Myth of Palestinian Nationhood. Myth of Palestinian Homeland. Myth of Palestinian Statelessness. Myth of Palestinian Refugees.

He wrote:

Senior Palestinian leaders admitted – openly, consistently, and continually – that Palestinians are not, and never have been, a distinct people identifiably different from others in the Arab world (Myth of Peoplehood). ...they also concede that as a political unit – i.e. a nation – their demands and aspirations are neither genuine nor permanent (Myth of Nationhood) and are merely a contrivance to undermine Jewish nationhood.

The Palestinians explicitly eschewed any sovereign claim to the West Bank and Gaza, only incorporating them in their territorial claims after these territories came under Israeli control (Myth of Homeland), clearly vindicating the view that the concept of Palestinian “national identity” is a fabricated construct, conjured up to further the Arab quest to repudiate Jewish national claims.

Moreover, the Palestinians are “stateless” not as a result of callous Israeli malfeasance, but of deliberate Arab malevolence (Myth of Statelessness). It is the Arabs who either stripped them of citizenship they already had (as King Hussein of Jordan did in 1988) or precluded them from acquiring citizenship they desire (as per the Arab League directive).

Finally, regarding the issue of refugees, it is becoming increasingly difficult to conceal the fact that the status of Palestinian “refugees” is totally different from that of all other refugees on the face of the earth (Myth of Refugees). Were the same criterion that applies to all other cases, applied to the Palestinians, the number of refugees would plunge dramatically – from around 5 million claimed today, to fewer than 50,000.

Opinion surveys of Palestinians

Surveys of Palestinians in Judea and Samaria (“West Bank”) show the extent of animosity towards Israel. The Palestinian Center for Policy and Survey Research (PCPSR) conducts regular polls in the West Bank and Gaza since the mid-1990s. Findings from the October 2025 poll include the following:

- 56% of Palestinians in the West Bank stated that Israel has no right to exist, compared with 44% who did not hold this view.
- Long-running PCPSR trend data (2010–2025) shows declining Palestinian support for a two-state solution over time, with support fluctuating according to conflict intensity and political context. Support for a two-state solution stood at 44% overall, with a sharp geographic divide: 61% support in Gaza versus 33% in the West Bank.
- When presented with a detailed peace package that included mutual recognition, East Jerusalem as a Palestinian capital and end of claims, support for a two-state solution rose significantly, reaching 75% among older respondents in the West Bank.
- 70% of West Bank Palestinians believed that Israel will not endure over time, and 50% believed Israel could be destroyed following the events of 7th October 2023.

Palestinian rejection of peace proposals

The following table summarises the attempts to gain Palestinian agreement to a range of peace proposals.

Year	Proposals	Arab response
1920	San Remo Allied Powers conference decisions	Rejected
1922	League of Nations decisions regarding San Remo decisions	Rejected
1937	Peel Commission partition proposal	Rejected
1938	Woodhead partition proposal	Rejected
1947	UN General Assembly partition proposal (UNGAR 181)	Rejected
1949	Israel's outstretched hand for peace (UNGAR 194)	Rejected
1967	Israel's outstretched hand for peace (UNSCR 242)	Rejected
1978	Begin/Sa'adat peace proposal. Camp David Accords	Rejected (except Egypt)
1993-2001	Oslo accords. The Oslo process is the "peace process" that started in 1993 with secret talks between Israel and the PLO. It became a cycle of negotiations, suspension, mediation, restart of negotiations and suspension again. A number of agreements were reached, until the Oslo process ended after the failure of the Camp David Summit in 2000 and the outbreak of the Second Intifada in 2001	
1994	Rabin/Hussein peace agreement	Rejected (except Egypt)
1995	Rabin's Contour-for-Peace	Rejected
2000	Barak/Clinton Camp David peace offer	Rejected
2001	Barak offer (Taba)	Rejected
2005	Sharon's peace gesture, withdrawal from Gaza	Rejected
2008	Olmert/Bush peace offer	Rejected
2009-21	Netanyahu's repeated invitations to peace talks	Rejected
2014	Kerry's Contour-for-Peace	Rejected
2020	Trump's Deal of the century – Peace to Prosperity Plan	Rejected
2020-23	Abraham Accords - Economic first & normalisation initiatives	Bypassed Palestinians
2024-25	Ceasefire-based political frameworks for Gaza	Not negotiated with PA
2025	U.S.-brokered Gaza Peace Plan, 20-Point Plan	In limbo

Since 2020, no comprehensive bilateral final-status peace offer (borders, Jerusalem, refugees, mutual recognition) has been accepted or negotiated between Israel and the Palestinian leadership. Post-2020 initiatives have largely shifted from *peace agreements* to *conflict-management or ceasefire frameworks*, especially focused on Gaza. The following table summarises these.

Peace offers and political frameworks involving Palestinians (Since 2020)

Offer	Year	Offered by	To whom	Outcome
Peace to Prosperity (Trump Plan)	2020	United States	Palestinian leadership (PA); Israel	Rejected outright by Palestinian leadership without negotiations; accepted by Israel as a framework
Abraham Accords (Normalization Framework)	2020–2021	United States, Israel, UAE, Bahrain, Morocco	Arab states	Bypassed Palestinians; no Palestinian participation; no peace agreement with PA
Biden-era Confidence-Building & Economic Initiatives	2021–2023	United States, EU, UN	Palestinian Authority	No final-status offer; limited to aid, governance support, and conflict management
Ceasefire-Based Gaza Political Frameworks	2024–2025	U.S., Egypt, Qatar, UN	Hamas (Gaza) indirectly Palestinians	Ceasefires negotiated, not final-status peace; not negotiated with PA
U.S.-Brokered Gaza Peace Plan (20-Point Plan)	2025	United States with regional mediators	Israel and Hamas (Gaza)	Israel accepted framework; Hamas rejected key terms (demilitarization); PA not a negotiating party

Post-War Gaza Transitional Governance Proposals	2025	U.S., Arab states, UN	Palestinian technocratic bodies (proposed)	Conceptual frameworks only; no bilateral peace agreement concluded
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Palestinian Authority's draft constitution

On 13 February 2026, Palestinian Authority President Mahmoud Abbas, released the draft constitution of the Authority. The draft constitution omits Jewish ties to Jerusalem, entrenches Sharia law, and formalises “martyrs” payments. Under the draft constitution:

- Jerusalem will be the capital of Palestine and pledges to protect its Islamic and Christian sanctuaries. But it pointedly fails to mention Jewish holy sites, Jewish heritage, or Judaism itself.
- Islam is the official religion, and Islamic Sharia will be a primary source of legislation. Christianity is acknowledged. Judaism is not.
- Provide protection and care for the families of martyrs, wounded, and prisoners, and those released from the occupation prisons and the victims of genocide.” Thus, formalising the “pay-for-slay” policy, which provides financial stipends to families of convicted terrorists and terror suspects.

At a time when the international community speaks endlessly about a “two-state solution,” this foundational document for a future Palestinian state omits even the most basic acknowledgement of Jewish history, Jewish rights, or Jewish ties to Jerusalem — the eternal capital of the Jewish people.

PALESTINIAN REFUGEES AND UNWRA

The Palestinian refugees stem from the 1948 War of Independence when five Arab armies invaded the newly established State of Israel and were defeated. Many of the Arabs fled because they were told by the Arab commanders to leave while the Jews were dealt with and then they could return. They never did. Some believe that the Jews told them to get out. Historians disagree on the reasons for them leaving. It is probable that in some areas, the Israeli Army expelled the Arabs and in other areas they were told by the Arab armies to leave.

In 1949, the United Nations set up the UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). There are several features which distinguish the UNRWA from the UN Refugee Agency which looks after 34.5 million refugees around the world.

Firstly, it is only UN agency dedicated to help refugees from a specific region – they only aid Palestinian refugees.

Secondly, it defines refugees, not by the usual criteria of those who fled a conflict, but to also include their **descendants through to the present day**. This keeps UNRWA going in perpetuity. UNRWA was not sanctioned to resettle Palestinian refugees but merely to care for them until a lasting solution to the Palestinian problem was found. There were originally around 652,000 Arab refugees whose numbers have dwindled to about 30 – 40,000 today but the refugees now number 5.9 million – all their descendants. They are all living off the UN. Its latest budget was nearly \$2 billion, and the US has been its largest donor. UNRWA illegally issues Palestinian Refugee ID cards, illegal because it has no authority to issue them.

District	Number of refugees in 1948	Number of refugees in 2000
Beersheba	90,507	590,231
Beisan	19,602	127,832
Jenin	4,005	26,118
Haifa	121,196	790,365
Hebron	22,991	149,933
Ramle	97,405	635,215
Safad	52,248	340,729
Tiberias	28,872	188,285
Tulkarm	11,032	71,944
Acre	47,038	306,753
Gaza	79,947	521,360
Jerusalem	97,950	638,769
Nazareth	8,746	57,036
Jaffa	123,227	803,610
Total	804,766	5,248,185

UNWRA was established with a temporary mandate to assist Palestinian refugees with housing, education, food, and healthcare. Over the course of its existence, 58 refugee camps were established in Lebanon, Syria, Jordan, the West Bank, and Gaza for Palestinians. In 2015, the Gaza Strip had 8 UNRWA refugee camps with 560,964 Palestinian refugees, and 1,276,929 registered refugees in total, out of a population of 1,816,379. In 2015, the West Bank had 19 UNRWA refugee camps with 228,560 Palestinian refugees, and 774,167 registered refugees in total, out of a population of 2,345,107. They have poor living conditions, high population density, and inadequate infrastructure.

Under the 1951 Refugee Convention a refugee is defined as someone who is unable or unwilling to return to their country of origin owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion. However, the Convention specifically does not apply to refugees from Palestine who fall under the auspices of the UNRWA.

Thirdly, they are the world's oldest unsettled refugee population.

Fourthly, 50% of the refugees are within the so-called Palestinian territories which, according to the criteria of the UN High Commissioner on Refugees (UNHCR) are *internally displaced persons*.

Fifthly, while the average assistance under the UNHCR is \$83 per person, UNRWA spend \$174/person (2006).

UNRWA has been described as a Palestinian organisation (Prof. N. Nachamias, Tel Aviv Univ., *Jerusalem Post* 3/9/14) which employs 30,000 Palestinians. Its so-called “refugee camps” are better described as urban neighbourhoods governed by UNRWA.

Comparison between UN High Commission for Refugees & UN Relief and Works Agency for Palestine Refugees

	UNHCR	UNRWA
Refugees	45,200,000	5,000,000
Staff	7,739	31,000
Refugees per staff member	5840	161
Budget	\$4.3B	\$0.9B
\$ per person	\$83	\$174

One of the demands the Palestinians make in every peace negotiation is the “right of return” of all Palestinian refugees. UN General Assembly Resolution 194 affirms their right to return to their homes. If this meant the original inhabitants, that would be acceptable. But to admit 5.9 million would pose a major strategic and demographic risk to Israel, quite apart from the sheer task of building housing and infrastructure to accommodate them.

In 1984, Joan Peters, a CBS documentary producer wrote a landmark book, *From Time Immemorial* which traced the role of UNRWA since its inception and showed how it perpetuates the refugee status of the Arabs. In December 1985, the UN General Assembly passed a resolution that rejected any efforts to require UNRWA to help Arab refugees engage in resettlement and rehabilitation (David Bedein, Director, Center for Near east Policy Research Ltd., *Jerusalem Post*, 9/1/15).

In an interview in 2014 Peters said: “UNRWA has been perpetuating fraud against the Jewish nation and against the world since they became the only “refugee” organ solely dedicated to one group of the world’s refugees. The Arab refugees, who really ran or were displaced during Israel’s War of Independence, were a small group when compared to the world’s hundreds of millions displaced during wars and strife. The Arabs were also a much smaller number than the Jewish refugees forced to flee from Arab countries. But the Arabs were counted over and over, going back and forth from the refugees’ camps. As American congressmen have attested, fraud was committed constantly, aided by the almost totally Arab staff in the UNRWA employ.”

GENOCIDE ACCUSATION

The genocide term was created by a Polish Jewish lawyer, Raphael Lemkin, in the early 1940s to describe the systematic extermination of the Jews by the Nazis and earlier atrocities such as the Armenian massacres in 1915-17. In 1946 the UN recognised genocide as a crime and then formally defined it in the Convention on the Prevention and Punishment of the Crime of Genocide which was adopted by the UN General Assembly in 1948. Genocide is defined by the Convention as:

- Any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial, or religious group, as such:
- (a) Killing members of the group.
 - (b) Causing serious bodily or mental harm to members of the group.
 - (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part.
 - (d) Imposing measures intended to prevent births within the group.
 - (e) Forcibly transferring children of the group to another group.

Having invaded Israel on 7th October 2023 which was committed with intent to annihilate the Jews living there, a clear case of genocide, Hamas then brought the accusation of genocide against Israel.

The *Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem and Israel* was established by the UN Human Rights Council in 2021. On 16th September 2025 it reported on its enquiry into whether Israel was committing genocide in Gaza.

The Commission concluded that Israel was committing genocide against Palestinians in Gaza. In its 72-page report (H/HRC/59/26), the Commission found reasonable grounds to determine that Israel has committed, and continue to commit, four of the five genocidal acts defined under the 1948 Genocide Convention. These four genocidal acts alleged were:

- (a) Killing of members of the group.
- (b) Causing serious bodily or mental harm to members of the group.
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part.
- (d) Imposing measures intended to prevent births within the group.

The Israel Government categorically rejected the accusation that it is committing genocide in Gaza. Its arguments are as follows:

1. Israel's military operations were conducted in self-defence following the 7th October 2023 Hamas attacks, which Israel characterises as involving mass killings and hostage-taking directed at its civilian population. Israel argues that these attacks triggered its inherent right of self-defence under international law, and that its actions are directed against Hamas as an armed group, not against Palestinians as a national, ethnic, racial or religious group.
2. Israel contends that the legal threshold for genocide has not been met, emphasising that the Genocide Convention requires proof of *specific intent* (*dolus specialis*) to destroy a protected group, in whole or in part. Israel argues that no such intent exists, and that civilian harm, while tragic, is not evidence of genocidal intent but occurs within the context of urban warfare against an adversary embedded within civilian areas.
3. Israel states that it has taken measures to mitigate civilian harm, including issuing evacuation warnings, facilitating humanitarian assistance, and adjusting military tactics. Israel argues that these actions are inconsistent with an allegation of intent to destroy a civilian population and are instead indicative of efforts to comply with international humanitarian law.
4. Israel has challenged the credibility and impartiality of UN-affiliated investigative bodies, including the UN Independent International Commission of Inquiry, whose report concluded that Israel had committed genocidal acts. Israel has rejected those findings as legally flawed and politically motivated and has stressed that such reports do not constitute binding judicial determinations.
5. Finally, Israel has underscored that the International Court of Justice has not issued a final judgement determining that genocide has occurred. While the Court has issued procedural orders and provisional measures, the merits phase of the case remains ongoing, and Israel has been granted extensions for the submission of its Counter-Memorial. Accordingly, Israel maintains that any definitive legal conclusions regarding genocide are premature.

The divergence between Israel and the UN Commission is not over civilian suffering, which Israel acknowledges as tragic, but over legal characterisation – specifically whether the facts satisfy the strict legal intent requirement of genocide under the 1948 Convention. The Commission asserts that intent can be inferred from conduct and rhetoric, while Israel insists that intent is absent and that the legal threshold has not been met. This dispute remains unresolved in binding international law pending a final judgement of the International Court of Justice.

It is particularly galling that the Genocide Convention, approved in 1948 as a direct response to the Holocaust of Jews by the Nazis during the Second World War, is now being directed unfairly against the Jews and Israel.

In September, 2025, the United Kingdom concluded that Israel was not committing genocide in Gaza, stating: “As per the Genocide Convention, the crime of genocide occurs only where there is specific ‘intent to destroy, in whole or in part, a national, ethnic, racial or religious group’, the [British] government has not concluded that Israel is acting with that intent.”

Genocide is the stated position of the current governing body of Gaza, Hamas, in its original charter: “Israel will exist and will continue to exist until Islam will obliterate it, just as it obliterated others before it.”

The population of Gaza in 2023 prior to the war was 2.23 million and is currently estimated to be 2.14 million, a reduction of 100,000 -115,000 people. Apart from those killed in the war, most of the reduction is due to the 100,000 who have left Gaza. These figures do not indicate a genocide-scale annihilation of the population.

APARTHEID STATE ACCUSATION

Israel is regularly cited as an apartheid state, similar to that which operated in South Africa for many decades. In South Africa, non-white people were separated into segregated residential areas and more than 3.5 million non-whites were forcibly moved. They had no political representation and were not citizens of South Africa. All government services – education, health, and even beaches were segregated.



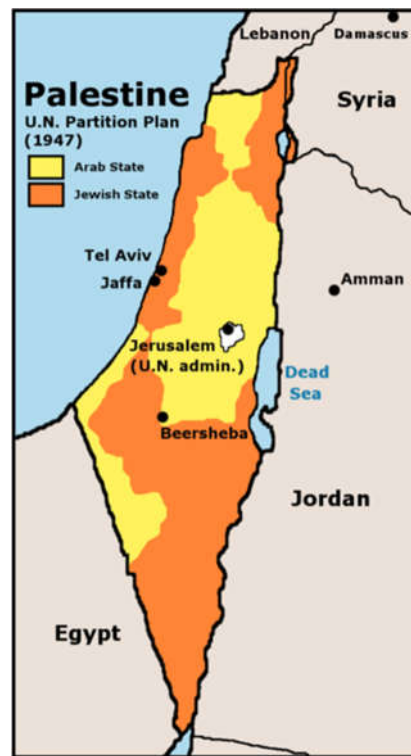
Sign in a London street

However, in Israel none of these factors applies. There are 1.65 million Israeli Arabs, about 20% of the population. Arabs and Jews can regularly be seen in the same shopping centres, cinemas, and parks. The Arabs were not forcibly moved to Judea and Samaria, and there are many Israeli Arabs who are citizens of Israel – and who refuse to take on Palestinian citizenship. Israeli Arabs have the vote although many choose not to vote. Arab Israelis are exempt from compulsory military service. Eighteen of the 120 members of the Knesset are Arab Israelis, including the Deputy Speaker. Several Arabs have served as ministers or deputy ministers, and several have served on the Supreme Court and as Israeli ambassadors. None of these provisions existed in apartheid South Africa.

AUSTRALIA'S RELATIONSHIP WITH ISRAEL

Ever since the Charge of Beersheba by the Australian forces on 31st October 1917, Australia has, until recently enjoyed a very positive relationship with Israel.

Dr Herbert Evatt was Attorney-General and Minister for External Affairs in the post-war Chifley Labor Government. In 1945 he played a leading role in the founding of the UN and helped draft the Universal Declaration of Human Rights. From 1948 to 1949 Evatt served as President of the Third Session of the United Nations General Assembly. As chair of the Ad Hoc Committee on the Palestinian Question, Evatt was prominent in the negotiations that led to the creation of the State of Israel. This included the discussions which led to the Partition Plan which divided the region into Jewish and Arab States. The vote on the Partition Plan on 29th November 1947 was 33 to 13, with 10 abstentions, in favour of the Plan. Australia voted for it.



UN Partition Plan

Subsequently, Abba Eban, the Israeli Minister of Foreign Affairs, acknowledged the contribution that Dr Evatt and the Australian Labor Government had made to the international recognition of the Jewish state:

“We are deeply indebted to the Australian Delegation for its consistent and effective support of our cause in the Assembly and its organs through all the stages of the consideration of our problem by the United Nations. It was under your competent and determined chairmanship that the Ad Hoc Committee on Palestine, during the annual session of 1947, adopted the plan which embodied in the historic Resolution of November 29th... Finally, it was again under your chairmanship and thanks in so large a measure to your determined lead that Israel was admitted to the United Nations when barely a year old. The manner in which you steered to a vote this second historic Resolution, representing as it does the culmination of the process initiated by the first, the warm than eloquence with which you welcomed Israel into the family of nations, have earned for you the undying gratitude of our people.”

The strongest recorded statement — “*Without him the Israelis would never have got in*” — reflects the consensus among Israel’s early UN envoys.

In 1986, Chaim Herzog was the first Israeli President to visit Australia. During his visit, he stated that “Australia has stood by our side on many occasions in the difficult years preceding the establishment of the State of Israel and since its establishment.” Welcoming him, Labor Prime Minister Bob Hawke said that the “friendship between our countries goes back to the foundation of the modern state of Israel.”

In 1987 following President Herzog’s visit, Prime Minister Bob Hawke became the first Australian PM to visit Israel. Hawke had a long-standing personal interest in Israel and Jewish affairs and pressured the Soviet Union to release the Jews seeking to move to Israel. In 1986 he moved a motion in the Parliament deploring the 1975 UN resolution that Zionism is racism and calling for its cancellation. From the late 1980s through to the early 1990s Australia gained support from Pacific and Southeast Asian countries for the resolution to be rescinded which occurred in December 1991.

John Howard first visited Israel in 1964 when he was 25 and admired the achievements and spirit of the nation. From 1996 to 2007 while he was Prime Minister, his government had strong bilateral relations with Israel and he visited it as Prime Minister in 2000 during which he was awarded an honorary doctorate by Bar-Ilan University. He said that Australia was “a very strong supporter, close ally and good friend of Israel.”

Early in the Liberal Coalition Howard Government in 1996, Foreign Minister Alexander Downer announced:

“I want to state clearly that Australia has an absolute, unshakeable commitment to the security of Israel. The nation of Israel, its people, its values, its courage in adversity and its ultimate purpose as the secure homeland for the Jewish people appeal deeply to us. Australia stands with Israel in its fight against terrorism and in its determination to negotiate a just, enduring and comprehensive peace settlement in the Middle East which will see Arab and Jew live and work together side by side in a genuine spirit of cooperation and harmony. The Australian Government welcomes and supports the commitment of Israel and the Palestinian Authority to put an end to decades of confrontation, and to seek ways in which to live peacefully together with dignity and security for Jews and Arabs alike.”

While he was Labor Opposition Foreign Affairs spokesman, Kevin Rudd twice visited Israel in 2003 and 2005. He described himself as a “passionate” and longstanding friend and admirer of Israel. In 2007 he said:

“Australia and Israel are intrinsically linked as countries that value human rights, democracy, and the rule of law. Australia’s involvement began even before Israel gained independence, with former Labor leader Doc Evatt playing a critical and supportive role as President of the UN General Assembly and as Chair of the Palestine Commission. Since then, Australia has been one of Israel’s most consistent friends through the many difficult times as well as the good.”

In 2018, Liberal Coalition Prime Minister Scott Morrison recognised West Jerusalem as Israel’s capital, stating:

"Australia now recognises West Jerusalem, being the seat of the Knesset and many of the institutions of government, as the capital of Israel. Furthermore, recognising our commitment to a two-state solution, the Australian Government has also resolved to acknowledge the aspirations of the Palestinian people for a future state with its capital in East Jerusalem."

Mr Morrison also stated that Australia would move its embassy to West Jerusalem following the final status determination.

In 2022, the incoming Labor Government of Anthony Albanese reversed Morrison's decision, saying it contradicted international law.

Given Australia's long track record of support for Israel, its decision on 11th August 2025 to recognise the State of Palestine came from left field. This decision gave legitimacy to and strengthened the antisemitism that has arisen since the Hamas invasion of Israel on 7th October 2023. It also rewarded Hamas for its invasion. Australia's announcement is shown below. Australia officially recognised Palestine on 21st September 2025.

Australia will recognise the State of Palestine at the 80th Session of the United Nations General Assembly in September, to contribute to international momentum towards a two-state solution, a ceasefire in Gaza and release of the hostages.

Since 1947, Australia has supported Israel's existence. In that year, Australia's Foreign Minister Evatt chaired the UN committee that recommended the creation of two states side by side.

Then, as now, the international community understood a two-state solution was the basis of peace and security for the peoples of the region.

Australia was the first country to raise its hand at the United Nations in support of Resolution 181, to create the State of Israel – and a Palestinian state.

More than 77 years later, the world can no longer wait for the implementation of that Resolution to be negotiated between the parties.

Australia's decision helps build the historic global momentum to break the cycle of violence in the Middle East.

CONCLUSION

Sources for the material covered in this submission have generally not been included as this is not an academic paper but rather a submission to the Royal Commission. The facts as provided here can be verified through official sources. There is considerably more information than can be provided in support of the evidence presented here and the author would be happy to provide this if requested by the Commission.

10th March 2026