

Executive Council of Australian Jewry Inc.

הוועד הפועל של
יהודי אוסטרליה

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Organisation of
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22 September 2009

60 Minutes SHOW

PO BOX 27

WILLOUGHBY NSW 2068

BY EXPRESS POST

Dear Sir/Madam

Re: Program aired on Sunday 20 September 2009

Title: Hate Thy Neighbour

Reporter: Liam Bartlett

Producer: Howard Sacre

Our organization is the peak national council representing Jewish organisations and the Jewish community throughout Australia. Our State constituent bodies in New South Wales, Victoria, Western Australia and elsewhere, have received numerous complaints to the effect that the content of the above program lacked accuracy, fairness and balance.

The long-running conflicts between Israel and the Palestinians and between Israel and the wider Arab world are of course matters of wide public concern which are quite properly the subjects of intense media coverage. Palestinian political organisations have made no secret of the fact that they seek to harness that coverage whenever possible in support of their cause as a tactic in their long-term struggle against Israel's existence. This makes it all the more important for journalists to maintain the highest professional standards when reporting on any aspect of these conflicts.

Regrettably, there were some notable lapses in those standards in Sunday's program. Some examples follow.

1. The title of the program "*Hate thy neighbor*" was not justified by anything in the program itself. The fact that Israelis and Palestinians are in conflict, sometimes in violent conflict in which they shoot at and occasionally kill one another, does not mean that all or most of them hate each other. At its heart, the Israel-Palestinian conflict is about ownership of land, not hatred. In fact your program was notable for its failure to produce a single example of anyone from either side expressing hatred for the other.

No doubt the conflict has produced hatred among some people on both sides, but it is the contest over land rather than hatred itself, that is the central driver of this particular conflict.

In fact, Palestinian organisations are engaged in a constant effort to foment hatred against Israel and Jews through racist incitement in the authorised text-books used by Palestinian school-children and in the Palestinian media. If you were genuinely interested in exploring the "*Hate thy neighbor*" theme in a fair and comprehensive way, some examination of racist indoctrination by Palestinian institutions would have been essential.

This subject was completely omitted by your program, as was the failure of the Palestinian Authority to comply with its commitment under the 2003 Road Map to ensure that "*all official Palestinian institutions end incitement against Israel*." The Road map requires the Palestinians to meet this commitment "*at the outset of Phase I*" i.e. before implementation of any Israeli freeze on settlement construction. The Palestinians have never complied with their obligation to "end incitement against Israel" and the pre-conditions for a settlement freeze have therefore never been satisfied.

2. You have misused your authority as a supposedly objective narrator to say that "*hundreds of thousands of Jewish settlers are moving into the West Bank*". The use of the present tense makes this statement quite misleading. No settlements have been established under Israeli government authority since 1996. Most of the settlements were established in the 1970's and 1980's. Whilst small illegal outposts are set up from time to time, and often demolished by the Israeli government, it is simply false to suggest that the numbers of people now "*moving into the West Bank*" are in the "hundreds of thousands".
3. Your assertion that settlers are "*building new towns on Palestinian land*" is similarly misleading and tendentious. The last major settlement to be established was Modi'in Illit in 1996, a town of about 30,000 people situated immediately adjacent to the pre-1967 Green line. Since 1996, no "new towns" have been built and officially-sanctioned construction activity has only occurred within the existing perimeters of existing settlements.

To refer to the land as "*Palestinian land*" is to pre-judge the outcome of the issue that lies at the heart of the conflict. Neither the UN nor any of its agencies has ever purported to determine which party is the sovereign title-holder to the West Bank. Only the parties themselves, or an international tribunal lawfully exercising its jurisdiction, could determine that question in a way that would be legally binding on all parties. In fact, later in your program you contradict yourself in this regard when you say: "*The UN says this is disputed territory*" and that the conflict over land has continued "*without the question of its ownership ever being resolved*". If the question of ownership has never been resolved, where is the justification in calling it "*Palestinian land*"?

4. "*And if there's ever going to peace in the Middle East, this is one problem that has to be fixed. The settlers will have to move out.*" Not according to all of the blueprints for a

final peace settlement that have been put forward both by governments and the parties themselves. The Abu Mazen-Yossi Beilin plan (1995), the Clinton bridging proposals (Taba, January 2001), the Nusseibeh-Ayalon Agreement (September 2002) and the Geneva Accords Draft Final Status Agreement (October 2003) all endorse the concept of a *"land swap"*. That is, they all propose that the major settlement blocs which are located close to the pre-1967 Green Line be incorporated into the territory of Israel in return for Israel ceding an equivalent area of its pre-1967 territory to a Palestinian state.

5. In reference to the settlers you say: *"They're obstinate and refuse to budge."* In fact Israel unilaterally dismantled all settlements in the Gaza Strip in August 2005 and withdrew all settlers and military forces. Instead of advancing the cause of peace, this move led to the forcible takeover of Gaza by Hamas in July 2007. Hamas then rapidly stepped up the smuggling of weapons and munitions into the Gaza Strip and the conversion of the whole area into a base from which it fired hundreds of rockets deliberately aimed at civilian targets in Israel. The opposition of the settlers to another unilateral withdrawal is based on bitter experience, not on obstinacy. Unilateral withdrawal has been tried, and it failed.
6. *"Palestinian Hosni Matrie despises the Jewish settlers who have moved into his town - and the feeling is mutual"* You have put words in the mouths of both Mr Matrie and *"the Jewish settlers"*. In the program, none of them voiced any such sentiment.
7. *"Their settlements are in breach of international law"*. Some international law experts believe that the settlements are illegal. Others have a contrary view. In 2004, the International Court of Justice expressed the view that the settlements are illegal, but this too was a non-binding (and much-criticized) legal opinion, not a binding and conclusive determination of the issue. To repeat your own words: *"The UN says this is disputed territory"*, and the dispute over territory has continued *"without the question of its ownership ever being resolved"*. Until the sovereign title-holder to the territory has been determined in a manner that is legally binding on all parties, dogmatic assertions that the *"settlements are in breach of international law"* are misleading to the extent that they purport to be statements of fact, rather than mere statements of opinion.
8. *"Remarkably, despite the compelling video evidence all charges were dropped and he walked free"* Once again you have purported to act as judge and jury. You have not stated whether you spoke to the police or the prosecutor's office to ask them why the charges were dropped in order to get the other side of the story.
9. *"The fact is, Israeli settlers like Zev Broude have become a law unto themselves. A man who shot three people and was proud of it. Just ask him why he shot three men at point-blank range.. without provocation?"* In this segment you have put words in Mr Broude's mouth and acted as judge and jury. There was absolutely nothing in the program that indicated that Mr Broude even admitted to shooting three people, let alone being *"proud of it"*. And what could possibly be the foundation of your statement that the shooting was *"without provocation"*? Were you there when it happened? You have given one side of this story only without even attempting to give an alternative account.

10. *"To protect the settlers, Israel controls the movement of Palestinians. To travel from one town to another, there can be humiliating delays at checkpoints. There are hundreds of them"*. This assertion is not only exaggerated it is also now very much out of date. There were a total of 43 fixed, manned checkpoints. There are now only 18. There are also *"flying"* (moveable) checkpoints but the number of these has also been dramatically reduced. There were also about 600 unmanned roadblocks but several hundred of these have also been removed. It has been reported in the International Herald Tribune that it is now possible for a Palestinian to travel from Jenin (in the north) to Hebron (in the south) without passing through any checkpoints. The reason for all of these reductions is the dramatic improvement in the effectiveness of the Palestinian security forces and in security co-operation between the Israelis and Palestinians in the West Bank since the death of Yasser Arafat. The improvement in day-to-day security has had other benefits. According to the IMF, the growth in GDP in the West Bank in 2009 is expected to reach 7% pa, an especially impressive figure when one considers that much of the rest of the world has been in recession. New shops and businesses have been opened and new jobs created for Palestinians in the West Bank who are now far better off than those who live under Hamas in the Gaza Strip. This is a seldom-reported story that belies the *"Hate Thy Neighbour"* theme of your coverage.
11. *"By contrast, the Israelis use a network of new highways, built for settlers only."* This is an old fallacy. The highways are there for the use of Israelis (ie Jewish and Arab citizens of Israel) because in the past the old roads were often used by armed Palestinian groups to ambush Israelis who drove along them.
12. DR MUSTAFA BARGHOUTH: If I am caught driving on any of these roads, although I am a member of parliament in Palestine, I would be sentenced to six months in jail.
- LIAM BARTLETT: Automatically?
- DR MUSTAFA BARGHOUTH: Automatically. "
- Yet you have not provided a single actual example of a Palestinian who was *"automatically... sentenced to six months in jail"*, simply for using such a road.
13. *"The oppression is sometimes very brutal. Some settlers resort to extreme tactics to protect their homes. So Palestinians are fighting back with - of all things - video cameras. The theory being that the camera doesn't lie."* Your own footage shows them throwing rocks.
14. *"Every day they are using violence against the Palestinians even when we are trying to protest in the most peaceful, non-violent manner."* Again, your own footage shows that the Palestinian protest is anything but *"non-violent"*.

Rather than engage in *"paper warfare"* over your coverage, we would prefer to have an opportunity to discuss these issues with Mr Bartlett directly and exchange views in an open and constructive way. To that end I would like to invite Mr Bartlett to be our guest at a luncheon to

be attended by 15-20 people representing a cross-section of our community. We would ask Mr Bartlett to address the group for 20 minutes or so and then take questions and discussion for 40 minutes. The event would take place under "*Chatham House rules*" to ensure confidentiality.

Please let me know if you are agreeable to this idea and, if so, when Mr Bartlett would be available to attend.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Robert M Goot', with a long, sweeping horizontal stroke extending to the left.

Robert M Goot AM SC

President