

# FLAME HOTLINE

Facts & Logic About the Middle East

July 3, 2018

## Occupied territories? How the U.K., U.N. and Western media pervert international law to condemn Israel

Dear Friend of FLAME:

Prince William's visit to Jordan, Israel and Judea-Samaria (the "West Bank") last week highlighted a propaganda absurdity of long standing among most Western nations and many mainstream media—namely the mischaracterization of Jerusalem and Judea-Samaria as "occupied Palestinian territories."

When the question of Israel's occupation of the disputed territories is debated, its defenders blithely toss out the argument that this contention is supported by international law.

This assertion has been proven false by many scholars. While any discussion of international law can get deep in the bushes quickly, let me lay out succinctly for you (with the kind help of Eugene Kontorovich, professor of international law at Northwestern University) seven facts that absolutely disprove the occupation allegation.

1. Israel's founding was based on the British Mandate, which designated a Jewish state from the Mediterranean Sea to the Jordan River (including the biblical Jewish homelands of Judea and Samaria and Jerusalem).
2. Although in 1947 the U.N. recommended a partition plan—which would have allocated some of this territory to the Arabs—that recommendation was rejected by the Arabs and neither accepted nor enforced by the Mandate.
3. Israel's War of Independence in 1948 was an attempt to

HOME

SUBSCRIBE

DONATE

PR FOR ISRAEL

HOTLINE ARCHIVE

ABOUT

CONTACT US

**THIS MONTH'S AD APPEARED IN PUBLICATIONS REACHING 10 MILLION READERS**

**YOU DESERVE TO KNOW THE TRUTH...**  
**Palestinian Mythology**  
 Palestinian Arabs claim full ownership of the Holy Land, denying any Jewish connection or rights—all based on deceptive lies, all easily proven false.

**What are the facts?**  
 It is an odd group that has the right to create its own narrative—the truth a narrative should be based on truth, regardless of whom it denies the rights of others. We may disagree on interpretation, but at least we should agree on the facts. So, let us consider five components of the Palestinian narrative and judge their merit through the lens of the truth. We note that modern Palestinian myth is an earlier attempt to disavow the Jewish people from their—their—ancestral homeland.

- 1. Palestinians are indigenous to the Holy Land.**  
 False. Modern Palestinian myth claims Palestinians are related to the biblical Canaanites, a group that vanished 2,500 years ago. This claim has no basis in archaeological or genetic research. Nearly all Palestinians trace their lineage to Arab lands. What's more, unlike the Jews, Palestinians have no unique language, culture or religion—essential markers of indigenous peoples. Indeed, historical, archaeological, biblical records, and the Quran itself affirm conclusively that Jews founded a kingdom in the Holy Land some 3,000 years ago—their arrival of the Arabs—and have lived in the lands of present-day Israel, Judea and Samaria since their exile or return.
- 2. Israel occupies Palestinian land.** False. No, it does not. Israel's boundaries were determined by the UN Partition Plan for Palestine in 1947, and were never changed. Israel's borders have been in place since 1948, and have been in place since 1948.
- 3. Jerusalem is the capital of the Palestinian people.**  
 False. Palestinian leaders commonly herald Jerusalem as a Muslim and Christian capital, virtually excluding 1,000 years of Jewish history and Jerusalem's centrality to Judaism. Indeed, history shows King David founded Jerusalem as the capital of the Jewish kingdom around 1000 BCE, before the fall of Israel. Jerusalem is and has been in the Hebrew Bible and not a single time in the Quran. Moreover, Jerusalem has never been an Arab capital, and for most of the city's history, Jews have been the majority population.
- 4. Palestinians have a right of return to Israel.** False. Nothing approximately 700,000 Arabs who left Israel in 1948, when the Arab armies attacked, and about 50,000 are still alive today. Some live in the disputed territories of Judea and Samaria, and some over the 70 years have made homes in Jordan, Lebanon and Syria. Nevertheless, the Palestinians claim that 7.5 million descendants of those refugees—children, grandchildren, and great-grandchildren—are also refugees. No other descendants of world leaders have ever been considered refugees. Indeed, no displaced refugees, no other descendants, have a national legal right to return to their original homes after a war. Any such claims have always been rejected among the parties—and as they will be in a peace agreement between Israel and the Palestinians.
- 5. Israel is guilty of apartheid against the Palestinians.** False. Palestinian leaders frequently accuse Israel of committing genocide, ethnic cleansing and apartheid. In fact, Israel's laws protect Arab citizens' every full civil rights and benefits—greater than those in Arab nations. Palestinians in the West Bank, on the other hand, are legally self-governing but administratively controlled by Israel. The laws of the West Bank, and those of the Gaza Strip, are designed to ensure that any of their Arab neighbors, Christians or Muslims, are not treated as second-class citizens, which is necessary to prevent Arab terrorism against Israelis, which continues to this day. In short, recognition of Palestinian self-determination by Israel are false and unfair.
- 6. The Jews continuously occupied "the Big Lie" to convince their people to wage an unprovoked, premeditated war.** False. Palestinians require justification to convince the world that Jews are evil, unprovoked aggressors. Until the Palestinians agree to negotiate peace with Israel—based on the truth and good faith—they are only conditioned to believe and demand justification for independence.

This message has been published and paid for by  
**FLAME**  
 Facts and Logic About the Middle East  
 P.O. Box 100, Jerusalem, Israel  
 James Entman, President  
 Genesis 22:18-19 and Proverbs 24:21-22

FLAME is a non-profit, nonpartisan 501(c)(3) organization. Its activities are limited to the promotion of the truth about Israel, and the promotion of peace and justice in the Middle East. We do not engage in political or religious activities. We do not accept any form of funding from any source, including the Israeli government, and we do not accept any form of funding from any source, including the Israeli government, and we do not accept any form of funding from any source, including the Israeli government.

To receive free FLAME updates, visit our website: [www.factsandlogic.org](http://www.factsandlogic.org)

**DONATE NOW**

**IF YOU SUPPORT PUBLISHING FLAME'S BOLD PR MESSAGES, PLEASE HELP US!!**

FLAME is the only organization that defends Israel with paid

assert its sovereignty under the Mandate, but Jordan and Egypt illegally conquered territories (Judea-Samaria [including eastern Jerusalem] and Gaza respectively) for which they had no prior claim to sovereignty.

4. After being attacked by five Arab armies in 1967, Israel defeated them, liberated those illegally occupied territories and renewed its sovereignty over those lands granted it under the British Mandate.
5. Jordan's control over Judea-Samaria was accepted only by Pakistan—far from international approval of its sovereignty—but in any case, Israel entered into a peace treaty with Jordan in 1994, in which Jordan relinquished control of these territories.
6. Any reference to "international law" in this case would have to refer to the Geneva Conventions, which simply do not apply in the presence of a peace treaty between the warring nations.
7. Thus in 1967 Israel conquered land it was entitled to under the British Mandate, which was never contravened by any international body, and this land is not subject to any international legal authority. The notion of "occupied territory" under the Geneva Conventions does not in any way apply.

Which brings us to this week's FLAME *Hotline*-featured article (below), by Melanie Phillips, one of Israel's staunchest journalist supporters. Phillips succinctly reviews a new book on the subject of "occupation," which supports and clarifies many of the points above.

Perhaps most important, Phillips links the accusations of occupation to an increasingly prevalent anti-nationalism sentiment in our society. Thus, questions of right and wrong, evil and good, sovereignty and borders are no longer legitimate reasons for war—and those nations forced to battle over these issues are disdained.

No wonder that tiny Israel, fighting for its life, gets so much criticism from the U.K. the *New York Times* and the U.N.

I hope you'll forward this analysis to friends, family and fellow congregants. It will help them understand why accusations of Israel's presence in Judea-Samaria as "occupation" are a disgraceful misrepresentation.

I hope you'll also quickly review the P.S. immediately below,

editorial hasbarah messages placed in media nationwide every month: The dire threats from Iran, Hamas and Hizbollah, the injustice of BDS, Palestinian anti-Semitism and more. If you support a bold voice that tells the truth about Israel in American media, please donate now.

[DONATE NOW >](#)



[SUBSCRIBE FREE](#)

### FLAME'S WEEKLY HOTLINE E- NEWSLETTER



FLAME's Hotline e-newsletter keeps you up to date on the most important pro-Israel advocacy issues and features our choice of the week's most informative and thought-provoking article on Israel and the Middle East. If you only subscribe to one pro-Israel news service, make it the FLAME Hotline.

[SUBSCRIBE NOW >](#)

which describes FLAME's latest *hasbarah* campaign-exposing Palestinian lies intended to dispossess Israel of its rights to a state in the Holy Land. I also hope you agree with and will support this message.

Best regards,

Jim Sinkinson

President, Facts and Logic About the Middle East (FLAME)

P.S. As you may have read, Palestinian President Mahmoud Abbas and other Palestinian leaders spread blatant lies in the U.N. and other forums almost daily-about Jewish history in Jerusalem and the Holy Land in general, about Palestinian origins, Palestinian refugees and many other factual matters. No wonder FLAME has created a new editorial message—"[Palestinian Mythology](#)"—which is now running in mainstream magazines and newspapers, including college newspapers, with a combined readership of some 10 million people. In addition, it is being sent to every member of the U.S. Congress and President Trump. If you agree that this kind of public relations effort on Israel's behalf is critical, I urge you to support us. Remember: FLAME's powerful ability to influence public opinion—and U.S. support of Israel—comes from individuals like you, one by one. I hope you'll consider giving a donation now, as you're able—with \$500, \$250, \$100, or even \$18. (Remember, your donation to FLAME is tax deductible.) To donate online, just go to [donate now](#). Now, more than ever, we need your support to ensure that the American people, the U.S. Congress and President Trump stay focused on the true obstacle to peace, which is the lack of a credible Palestinian peace partner.

As of today, more than 15,000 Israel supporters receive the FLAME Hotline at no charge every week. If you're not yet a subscriber, won't you join us in receiving these timely updates, so you can more effectively tell the truth about Israel? Just go to [free subscription](#).

**We must push back against the Big Lie people tell about Israel**

**One of the most brazen aspects of Israel's demonization is the perversion of international law as a weapon.**

By Melanie Philips, *Jewish Chronicle* (UK), June 25, 2018

**Israel represents law and justice against those who deny them.** Yet it is falsely painted as fundamentally illegitimate and guilty of repeated illegality and breaches of international norms.

Defenders of Israel, including its own government, seldom push back publicly against this. False assertions by the Foreign and Commonwealth Office (*ed., FCO, Britain's equivalent of the U.S. State Department*) about Israel's illegal settlements or the "Occupied Palestinian Territories" are met with silence.

Not surprisingly, this failure to engage has led many perfectly decent people in Britain and elsewhere to believe the Big Lie that Israel is the principal rogue state in the region, if not the world.

**A new book sets the record straight. *Israel on Trial: How International Law is being Misused to Delegitimize the State of Israel***, written by two international lawyers, Matthijs de Blois and Andrew Tucker and published by the Hague Initiative for International Co-operation, comprehensively lays out both the justice of Israel's actions and the staggering denial of international law by its tormentors.

The FCO is an egregious offender. One of its persistent falsehoods has surfaced in the official itinerary for Prince William's visit to Israel, Jordan and the Palestinian Authority next week. This implies that Jerusalem's Old City and the Western Wall are in "the Occupied Palestinian Territories."

As de Blois and Tucker make clear, the term is false. In law, the territories were never Palestinian and they are not occupied.

In 1922, the League of Nations conferred upon Britain the Mandate to facilitate the creation of a Jewish homeland in Palestine. When Israel was finally restored as a sovereign state in 1948, it inherited those rights to all the land under the Mandate—including Jerusalem and the "West Bank."

**So when Israel took possession of east Jerusalem and the "West Bank" in 1967,** "it was taking physical possession of territory that—as a matter of law—already belonged to Israel."

The authors go on: "The law of occupation makes no sense, and has no application... when there is no sovereign power

that is 'ousted' from the territory." There was no sovereign power to which, in 1967, the West Bank and east Jerusalem belonged. So under international law there is no occupation.

As for the Israeli settlements, these aren't illegal either. The requirement for Britain to enable the "close settlement" of Jews throughout the Mandate territories, including the "West Bank" and Jerusalem, has never been abrogated. The argument that the settlements are in breach of the Fourth Geneva Convention rests on a false and perverse reading of that convention. And so on.

Given all this, one might well ask why the British government sticks to these fictions of Israeli illegality. After all, Theresa May is sympathetic to Israel.

**Earlier this week, the Foreign Secretary, Boris Johnson,** condemned the UN Human Rights Council for its institutionalized anti-Israel behavior.

One principal reason is surely that the UK is part of a European progressive order for which international law is the expression of its ideology, elements of which are inimical to the security and even the existence of the state of Israel.

Out of the carnage of two world wars grew the core progressive belief: that the western nation state is the source of nationalism, prejudice and aggression, and so any war in its own defense is by definition unjustified.

In place of the nation state should come a new international order based on transnational institutions and laws representing the brotherhood of man: the UN, EU, international law and human rights law.

**War must be replaced by law through negotiation,** conflict resolution, peace processes. There can be no victory or defeat. Questions of right and wrong, who is the aggressor and who the victim, are irrelevant. In a fight between God and the devil, western progressives would split the difference and call that a triumph.

So the fact that Palestinian identity is a fiction invented solely to destroy the Jewish claim to Israel is ignored. The evidence that international law upholds Israeli actions is dismissed. The way the UN and international law have been hijacked to destroy Israel is denied.

In Mandatory Palestine, Britain betrayed its legal obligations to the Jews. The FCO has a history of Arabism and antisemitism. Progressive transnationalism seems to have

allowed it to progress from all that straight into lawfare  
against Israel without even passing "Go."

# FLAME

Facts and Logic

About the Middle East

PO Box 3460

Berkeley, CA 94703

Copyright 2017 FLAME. All rights reserved.