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New U.S. State Department report shifts policy on the Israel-Palestinian conflict to the left

Dear Friend of FLAME:

Supporters of Israel have been rubbing holes in their Quija boards guessing how much further to the left the Biden Administration will push U.S. Middle East policy from Trump's iconoclastic positions. A new report indicates there will indeed be <u>leftward shifts</u>, but probably not all the way back to Obama's strategy.

Until now—aside from a few minor pronouncements, a smattering of political appointments and a delay in President Biden calling Prime Minister Netanyahu after assuming office—there has been little to gauge Washington's new approach to the Israel-Palestinian conflict.

However, the release of the 2020 Country Reports on Human Rights Practices this week, which the State Department annually produces, does reveal pointed indications about what Middle East watchers can expect.

On the plus side, the Biden Administration maintained the phrase "Israel, West Bank and Gaza," introduced by the Trump administration, which replaced the phrase "Israel and the occupied Palestinian Territories" used by the Obama administration.

On the negative side, the report reintroduced the term "occupied" to describe Israel's <u>liberation of territory</u> over the 'Green Line' during the 1967 Six Day War.

This language shows what some have long suspected—that the new administration will be less friendly than the previous one, but <u>not as unfriendly</u> as the one led by President Obama, which was one of the most hostile to Israel in recent years.

Nonetheless, language matters. The use of the terms "occupied" and "occupation" reflects the Palestinian narrative that Israel's presence in its historic heartland of Judea and Samaria is somehow illegitimate.

Yet in the report's favor, not using the term "Occupied Palestinian Territories,"

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except when quoting other bodies, tells a story. Using the term OPT supports a particular narrative and designates the <u>legal basis of ownership</u> over the territories in question.

This might seem like hair-splitting for many, but when divining foreign policy intentions, these minor nuances indicate policy direction and how the State Department interprets international law. In fact, there is no such thing as "Palestinian territories" under international law.

Likewise, how the U.S. phrases its position on the "settlements" reveals its attitude toward Israeli communities over the Green Line. The U.S.—unlike much of the world—has never designated these communities as "illegal."

Rather, it has edged toward that position, as in the decision by the Obama administration at the tail end of its second term in 2016 to <u>abstain</u> from a controversial United Nations Security Council resolution demanding an end to Israeli settlements on Palestinian territory—which allowed it to pass easily.

It was the first time in nearly 40 years that the Security Council has passed a resolution critical of Israeli settlements—because the U.S. had always used its veto. Obama had also used language during his tenure very close to the "settlements are the obstacles to peace" line used frequently by Europeans and others.

The latest report makes little mention of the settlements, and when pushed on this issue during a subsequent press conference US State Department spokesman Ned Price clarified the position. He asserted that the <u>US position had not changed</u>, and explained it further: "We—as you have heard me say before—we continue to encourage all sides to avoid actions—both sides, I should say—to avoid actions that would put the two-state solution further out of reach," Price said.

In other words, without saying so precisely, the U.S. believes the settlements are not an exercise of the Jewish People's right to build communities in its historic and ancestral homeland. Rather, they are potentially <u>standing in the way</u> of a Palestinian state.

This is an implicit agreement with those who repeatedly state that Jews have <u>no</u> <u>right to live</u> in Judea and Samaria, because it is the land of the Palestinians—an analysis that contradicts history, international law and the rights of indigenous people.

This form of diplomatic speak essentially indicates firm buy-in to the Palestinian position about whose territories they are. This is important because the issue will impact many decisions in the coming years.

One other notable element of the State Department report was <u>recognition of Israel's sovereignty</u> over the Golan Heights in 2019. The report neither rescinds that pronouncement nor does it use previous Democratic administrations' term, "Israeli-occupied Golan Heights." For this we can be tentatively thankful.

As for the Palestinians, the new State Department Report justifiably describes their human rights record harshly. The report acknowledges the "reports of unlawful or arbitrary killings, torture, and arbitrary detention by authorities; holding political prisoners and detainees . . . serious restrictions on free

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expression, the press, and the internet, including violence, threats of violence, unjustified arrests and prosecutions against journalists" by both the Palestinian Authority and Hamas.

In short, the recently released Human Rights report gives us valuable indications as to the direction this administration will take. Good news: It does not seem there will be a return to the <u>incendiary rhetoric</u> of the Obama administration towards Israel, but Biden's team will instead allow the changes by the Trump administration to retain their impact.

However, the new administration will certainly move the needle of favor <u>back</u> toward the <u>Palestinians</u>. This is evidenced by the recent quiet resumption of aid to the <u>Palestinian</u> Authority, even as a US government watchdog, the General Accounting Office, found that the US Agency for International Development has failed in the past to properly vet beneficiaries for terrorist ties.

Bad news: This new set of values will certainly embolden the Palestinians, who rightfully believe they have a sympathetic ear in the new U.S. administration. It will ensure they maintain their maximalist positions on the conflict—meaning there is very little chance of making peace with the Palestinians, or even moving forward on regional peace by advancing the historic Abraham Accords.

I hope you will point out to friends, family, colleagues and your elected representatives that the Biden team's acceptance of Palestinian recalcitrance, plus U.S. financial support—with no quid pro quo—is what has ensured <u>no end to the conflict</u>.

This position prevents a peace that would benefit both Israelis and Palestinians. It also means the mistakes of the past are <u>doomed to be repeated</u>, and the people of the region will continue to suffer.

I hope you'll also take a minute, while you have this material front and center, to forward this message to friends, visit FLAME's lively <u>Facebook page</u> and review the P.S. immediately below. It describes FLAME's new hasbarah campaign—which exposes the dangerous folly of the U.S. trying to entice Iran back intro the failed "Iran Deal" of 2015.

Best regards,

Jim Sinkinson

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

P.S. The Biden administration and many members of Congress seem determined to reengage with Iran over the coming year—and some reports indicate a willingness to return to the failed "Iran Nuclear Deal" without preconditions. As you know, this would be disastrous—for the U.S. and for Israel and our other allies in the Middle East. The Iran Deal gave the Islamic Republic a roadmap to nuclear weapons and did nothing to check their jihadi activities, including development of longrange ballistic missiles. To warn Americans of this danger, FLAME has created a new *hasbarah* message called "No Fool's Deal with Iran." I hope you'll review this convincing, fact-based paid editorial, which ran in the *New York Times* and *Washington Post*, and other media

nationwide. It spells out specifically the protections any new Iran deal must provide. This piece will also be sent to all members of Congress, Vice President Harris and President Biden. 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 Biden stay committed to realistic policies in relation to Iran, Israel and the entire Middle East.

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