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Home » New opportunity opens for the Palestinians: Will they seize peace and prosperity . . . or let it slip away again?

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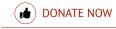


FLAME'S WEEKLY HOTLINE E-NEWSLETTER



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FLAME.**Hotline**.



Ethnic cleansing: Contravening international law, the International Court of Justice has ruled Israel must evacuate all Jews from its homeland territories of Judea and Samaria (West Bank), including parts of Israel's capital, Jerusalem, and the 20,000-population city of Ariel (above),

International Court of Justice demands ethnic cleansing of eastern Jerusalem and West Bank

Dear Friend of Israel, Friend of FLAME:

Astonishingly, the International Court of Justice (ICJ) is demanding that Israel immediately give up sovereignty over the eastern part of its capital, Jerusalem, and that it remove more than half a million Israelis who live in the disputed territory of Judea and Samaria (aka the "West Bank"), which Israel controls by virtue of international law and treaties.

The ICJ opinion, though non-binding, follows on the heels of trumped-up arrest warrants for Israel's Prime Minister and Defense Minister by the International Criminal Court earlier in July. Both actions are part of efforts to isolate Israel using condemnations with a false veneer of legitimacy through "international law."

Indeed, the ICJ itself is a travesty. It is not an actual judicial body, but a <u>kangaroo court</u>, whose members are accountable not to international law, but to the political dictates of their respective countries, many of which flagrantly embrace anti-Israel policies.

The Court, which is the principal judicial organ of the United Nations, ruled that "Israel's continued presence in the Occupied Palestinian Territory is unlawful," and that "Israel is under an obligation to cease immediately all new settlement activities, and to evacuate all settlers from the Occupied Palestinian Territory."

In fact, the ICJ's opinion actually contravenes international law. Judea and Samaria was never legally part of another country, nor was it ever under Palestinian sovereignty, therefore <u>no occupation exists</u>. The settlement of Israeli citizens in Judea and Samaria is also perfectly legal, since it constitutes the

ancient and continuous Jewish homeland, and Israel legally controls the territory.

Finally, by calling for an end to Israel's "occupation" of Judea and Samaria, the ICJ is also trying to nullify international agreements and UN resolutions that call for a <u>negotiated settlement</u> to the status of the territory. This includes the Oslo Accords, by which Israel and the Palestinians agreed to settle all issues pertaining to Judea and Samaria through negotiations.

All nations that truly respect international law—especially the United States and other Western countries—should automatically reject the ICI's bogus ruling. They should oppose using the opinion to delegitimize the Jewish state and <u>ethnically cleanse</u> the disputed territory.

The ICJ is a political forum masquerading as a court of international law. The Court consists of 15 judges appointed by UN member states. They are not impartial jurists accountable to international law. Rather, they follow the directives of the governments that appoint them and their own proclivities. The current Court includes judges from countries that have traditionally <u>sided with the Palestinians</u> against Israel, such as China, Somalia, South Africa and Lebanon.

Nawaf Salam, the current President of the ICJ, once served as Lebanon's UN ambassador. During his term, he voted 210 times to condemn Israel. He has accused Israel of crimes against humanity and apartheid, and functions as a pawn of <u>Iran's Islamist dictatorship</u>. In fact, he opposed all 11 General Assembly resolutions condemning Iran's rights violations against its own citizens.

The ICJ's opinion that Israel "occupies" Judea and Samaria is baseless. Under international law, an occupation exists when one country unlawfully seizes control of another country's territory. Judea and Samaria was never legally part of another country. Jordan illegally seized control of the territory in the 1948 war. Rather than give the Palestinians a state in the territory, the Jordanians <u>illegally annexed</u> it. Yet, the ICJ never demanded an end to Jordan's unlawful occupation.

Israel expelled Jordan after the Six-Day War in 1967, and Jordan later signed a treaty with Israel relinquishing all control. Since Judea and Samaria was never legally part of Jordan, nor was it part of a Palestinian state or any other country, Israel's control of the territory is <u>100% legal</u>.

Furthermore, international law mandates that a country inherits the borders of the former entity. Thus, Israel would have inherited the borders of the preceding entity—the British Mandate of Palestine, which included Judea and Samaria.

Finally, Israel, as the nation-state of the Jewish people, has an inherent right to sovereignty over Judea and Samaria because it is the <u>ancestral homeland</u> of the Jewish people. This is supported by endless evidence, including archeological findings and historical records stretching back thousands of years.

Nothing in international law prevents Israelis from settling Judea and Samaria. International law stipulates that a country cannot "transfer" its citizens to occupied territory. Israelis who live in Judea and Samaria, which is <u>not occupied territory</u>, do so willingly. Israel does not forcibly transfer them there. In addition, Israelis only settle on land under full Israeli control per the Oslo Accords, otherwise known as Area C.

The ICJ's opinion ignores Israel and the Palestinians' commitment to resolve the status of Judea and Samaria through negotiations. This commitment has been endorsed by tens of UN resolutions and agreements between Israel and the Palestinian leadership. Furthermore, the ICJ opinion violates the principle established by the UN Security Council and the Oslo Accords that any Israeli withdrawal from territories seized in the 1967 war be conducted *only* in <u>exchange for peace</u>.

The ICJ opinion has the potential to seriously damage Israel. In theory, Israel could be expelled by the UN and severely sanctioned by the UN Security Council, though this is highly unlikely to happen, providing the U.S. vetoes such measures. More likely, however, is that Israel becomes subject to other penalties, such as suspension of UN voting privileges, expulsion from cultural and sporting associations, and arms embargoes—all of which would be given the legitimacy of international law per the ICJ's opinion.

The ICJ opinion completely contradicts existing international law that it is supposed to uphold. Israel's control of Judea and Samaria is completely legal, as is the residence of Israeli citizens in the territory. No ICJ "opinion" changes this reality.

Nevertheless, Israel's enemies will surely use the ICJ's opinion as an excuse to further isolate and make it a pariah state—a status more befitting <u>tyrannical dictatorships</u> like Iran and North Korea, not the sole outpost of freedom and democracy in the Middle East.

Please make the point when speaking with family, friends, colleagues—or in letters to the editor—that all nations that respect international law, especially the U.S. and Israel's other Western allies, should <u>reject</u> the ICJ's opinion and <u>oppose</u> all such illegitimate measures to further isolate the Jewish state.

If you agree we need to spread this truth, please use your email browser to forward this Hotline issue to fellow lovers of Israel—and encourage them to join us by subscribing to the Hotline <u>at no charge</u>.

Best regards,

James Sinkinson, President

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Facts and Logic About the Middle East (FLAME)

P.S.

The riots, vandalism and illegal trespassing on American college campuses have sharpened the knives of the Israel haters. It's become clear that the "pro-Palestinian" protesters are purely anti-Israel and support the genocide of Jews "between the river and the sea." Scandalously, we've also seen hard evidence that university administrators are willing to ignore or openly support the antisemitic hate speech and harassment of Jewish students—though they would never permit such behavior against other minorities. I hope you'll agree that we supporters of Jewish students and hate-free campuses need to speak out. FLAME's new *hasbarah*—explanatory message—"Stop Terrorism on Campus"—calls for four actions to eliminate campus outlaws and to restore rights to all students. Please review this convincing, fact-based editorial, which FLAME recently published in the *Washington Post, Wall Street Journal, New York Post, Chicago Tribune, Tampa Bay Times, Denver Post* and *Mercury News*. 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 with a donation.

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