



Executive Council of Australian Jewry Inc.

Executive Council of Australian Jewry claims the 60 Minutes “*Hate Thy Neighbour*” program, (broadcast nationally in Australia on Sunday 20 September 2009), 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 the 60 Minutes program “*Hate Thy Neighbour*”, screened in Australia recently.

In order to set the record straight and promote a better understanding of these issues, the ECAJ believes that it is necessary to examine some of the statements contained in the program and contrast them with the easily ascertained facts. 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 the 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.

2. 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 the producers of the program 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.
3. The subject of racist incitement was completely omitted from the 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*", that is 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.
4. The reporter misused his 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*".
5. The program's 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. Officially-sanctioned

construction activity has only occurred within the existing perimeters of existing settlements.

6. 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 the program the reporter contradicted himself in this regard when he said: "*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*"?
7. "*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.
8. In reference to the settlers the reporter said: "*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.

9. *"Palestinian Hosni Matrie despises the Jewish settlers who have moved into his town - and the feeling is mutual."* The reporter put words in the mouths of both Mr Matrie and *"the Jewish settlers"*. In the program, none of them voiced any such sentiment.
10. *"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 the reporter's 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 contested statements of opinion.
11. *"Remarkably, despite the compelling video evidence all charges were dropped and he walked free."* Once again the reporter has purported to act as judge and jury. The statement that *"remarkably, despite the compelling video evidence all charges were dropped and he walked free,"* is not only highly misleading but quite wrong. In fact, the charges were not *"dropped"*. Mr Braude was prosecuted by the Israeli police in the Jerusalem Magistrate's court but was acquitted.
12. *"The fact is, Israeli settlers like Zev Braude 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 the reporter once again put words in Mr Braude's mouth and acted as judge and jury. There was absolutely nothing in the program that indicated that Mr Braude even admitted to shooting three people, let alone being *"proud of it"*. And what could possibly be the foundation of the statement that the shooting was *"without provocation"*? Was the reporter there when it happened? He has given one side of this story only, without even attempting to give an alternative account.
13. Indeed, according to Mr Braude's statement to the court, he was out looking for his son and took a short cut near an Arab village. Here is the account given by Mr Braude's attorney as to what happened next:

"As my client was walking down the wadi he noticed the Palestinians approaching him with large stones, so he pulled out his gun and asked that they let him pass. One of the Arabs came close and my client backed away. Then three more Arabs holding large rocks surrounded him, at which point he shot two bullets above the shoulders of two of the Palestinians."

"Then the Palestinians pushed him, threw him to the ground, jumped on him and hurled stones. He was evacuated to the hospital and required 36 stitches on his head."

14. Although the court accepted the police position that Mr Braude's initial act of walking near an Arab village constituted a provocation, Judge Malka Aviv also made the following findings:

"There is no doubt that the events the suspect was allegedly involved in are very severe and are indicative of the tension between the Jewish and Arab residents of the Kiryat Arba and Hebron area"

"The suspect can be seen veering off the trail he was supposed to walk on and confronting the locals face to face. At a certain point the suspect pushes and strikes (the Palestinian)", (referring to the video that documented the incident, part of which was shown on 60 Minutes).

"There are a number of question marks regarding the behavior of the (Palestinians) who were allegedly shot by the suspect, as they can be seen (in the video) getting up and continuing to throw stones at him. In their behavior the Palestinians contributed greatly to the incident's grave consequences."

15. The story featured video of an alleged shooting by Mr Braude. Yet there was no semblance of an attempt to provide his side of the story or the Judge's findings. Instead of presenting all the relevant material to viewers and giving them the opportunity to form their own opinions, the reporter decided both to restrict the material to one side of the story only and to tell the viewers what to think.
16. *"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 41 fixed, manned checkpoints. There are now only 14. There is now free passage of vehicles between Ramallah and the villages to the east and west. There are also “flying” (moveable) checkpoints but the number of these has also been dramatically reduced, as has the number of unmanned dirt roadblocks. It was reported in the International Herald Tribune in July 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. Additional measures adopted include the opening of 422 crossings east of Qalqilya, to free movement of Palestinian vehicles between Qalqilya and the villages to the east, and the extension of the working hours of many of the remaining key checkpoints. Fifteen hundred permits have been issued to Palestinian public officials, allowing them to pass through the Israeli crossings into Israel. This is a very significant move aimed at improving the quality of life of these individuals, who are the prime movers of the Palestinian economy in the West Bank. The reason for the easing of restrictions 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 checkpoints were established in the first place to prevent the entry of suicide bombers from the West Bank into Israel and to prevent them from perpetrating further acts of murder and mayhem among Israeli civilians. 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 the rule of Hamas in the Gaza Strip. This is a seldom-reported story that belies the “*Hate Thy Neighbour*” theme of the 60 Minutes program.

17. “*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.
18. “*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*”

REPORTER: Automatically?

DR MUSTAFA BARGHOUTHI: *Automatically.* “

Yet the reporter did not provide a single actual example of a Palestinian who was “*automatically . . . sentenced to six months in jail*”, simply for using such a road. The fact that Barghouti’s use of emotive expressions like “*cancer*” and “*rape*” to describe the settlers goes unchallenged by the interviewer, highlights the unprofessional and inflammatory nature of this piece of journalism.

19. “*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.*” Not only are cameras capable of lying, but 60 Minutes’ own footage shows the Palestinians throwing rocks.
20. “*Every day they are using violence against the Palestinians even when we are trying to protest in the most peaceful, non-violent manner.*” Again, 60 Minutes’ own footage shows that the Palestinian protest is anything but “*non-violent*”.
21. This program clearly attempted to use the Braude incident and an interview with Ms Nadia Matar to portray all Israeli settlers as extremists and thereby to demonize an entire sector of Israeli society. Matar is a prominent leader of the right-wing Women in Green group and whether one agrees with her politics or not, she is certainly not representative of the mainstream settler leadership - something that the program conspicuously omitted to mention. Indeed, Mr Bartlett’s aggressive line of questioning with Ms Matar was in stark contrast with “*kid gloves*” treatment in his interview with Hosni Matrie and Palestinian official Mustafa Barghouti.

The ECAJ expects journalists in Australia to abide by their Code of Ethics which relevantly provides:

“Report and interpret honestly, striving for accuracy, fairness and disclosure of all essential facts. Do not suppress relevant available facts, or give distorting emphasis. Do your utmost to give a fair opportunity for reply.”

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