

August 15 2023
The Albanese Government
APH Canberra ACT

Dear Minister

We represent hundreds of thousands of Australian Christians. We are dismayed by your announcement on Tuesday 8 August 2023 that you will refer to Gaza and the West Bank including East Jerusalem as "Occupied Palestinian Territories" (OPT).

The phrase wrongfully implies that Israel has no legal title in Judea, Samaria or Jerusalem, and that Gaza is occupied by Israel. It suggests that any Jewish presence in places where Jews have lived for thousands of years, the Jewish Quarter of the Old City of Jerusalem including Judaism's most sacred, ancient and Holy site, the Kotel and Temple Mount reside is "illegal", simply because Jordanian forces ethnically "cleansed" it of Jews between 1948 and 1967.

Minister, you should be aware that the basis for Israeli claims to parts of the West Bank and East Jerusalem include,

- the international legal mandates for the establishment of a Jewish homeland there, under the League of Nations in 1920 and renewed under the UN in 1945;
- the doctrine of succession of territorial title within the boundaries of the previous British government at the time of Israeli independence in 1949;
- the absence of a competing legal sovereignty in the West Bank at the time of Israeli occupation in 1967;
- the absence of any international rule at that time prohibiting acquisition of land taken in a war of selfdefence;
- the Jewish right of self-determination in indigenous land in Judaea and Samaria; and
- the security imperatives of control on the hills overlooking Jewish population concentrations in the coastal centre of Israel.
- There has never been any legal commitment, legal document, treaty, agreement, contract or formal
  binding resolution that has determined that the territories belong to the Palestinians or that they are
  under Palestinian sovereignty. (UNSC Chapter VI Resolutions are recommendations and not binding, as
  are UNGA Resolutions).

Concerning Gaza, Israel evacuated its military forces and civilians in 2005. Israel no longer has military forces there, Gaza is self-governed, and Egypt also has a land border with Gaza beyond Israeli control. Therefore, Gaza is in no way "occupied".

The West Bank can be described as disputed territory because Israel gained control of it in a defensive war and relinquishing all control would pose an existential threat. For Australia to prejudice peace negotiations by unilaterally declaring borders in a disputed territory is absurd and will only entrench Arab intransigence.

We respectfully urge you to reconsider and to correct this government policy.

Sincerely

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