

From: ABC Corporate_Affairs5 <Corporate_Affairs5.ABC@abc.net.au>

Date: Tuesday, 2 March 2021 at 13:57

Thank you for your emails regarding *The World Today* report *Israel starts mass Covid-19 vaccination program* and the *AM* report *Israel considers "hard" lockdown amid vaccination rollout*.

Your complaint has been investigated by Audience and Consumer Affairs, a unit separate to and independent of program making areas within the ABC. We have carefully considered your concerns and information provided by ABC News, reviewed the content and assessed it against the ABC's editorial standards for *accuracy* and *impartiality*.

We note the following relevant statements by the reporter, which Audience and Consumer Affairs has assessed against the Corporation's editorial standard for accuracy –

2.1 Make reasonable efforts to ensure that material facts are accurate and presented in context.

The World Today – Case numbers are also high in the Palestinian territories occupied by Israel, with the West Bank in lockdown and Gaza recording around a thousand new cases per day for its 2 million people. But Israel's success in securing the vaccine won't mean the Palestinians benefit. Ghada Majadle from the charity Physicians for Human Rights says the Israeli government has not committed to sharing the vaccine.

AM – While Israel promotes its success with the vaccines, there are 5 million Palestinians living under Israeli occupation that aren't in line for vaccination under this program. Israel says it's not obligated to vaccinate them and the Palestinian leadership hasn't asked. But the Palestinian spokesman, Ali Rabbo - Director-General of the Palestinian Health Ministry, says Israel is legally required to provide vaccines.

ABC News has identified the United Nations as its source for the reference to Gaza being occupied. While acknowledging the 2005 Israeli disengagement from Gaza, ABC News understands the UN considers that Gaza is still occupied as it does not exercise effective control over its territory. Israel continues to control crossings, airspace, territorial waters and within the relevant context of this coverage, access to vaccines. ABC News has further explained how it made reasonable efforts to confirm that, because Israel controls all imports to the West Bank as well as the certification of new vaccines, it has effective control over the availability of vaccines to Gaza, and the Palestinians are also unable to source new vaccines without Israeli approval.

Given the newsworthy focus and context of the reporting, Audience and Consumer Affairs acknowledges the UN as a credible and relevant source and we are satisfied the program made reasonable efforts to ensure the material facts were accurately presented, in keeping with the above editorial standard for accuracy. We note your reference to various Hamas figures making political statements that Gaza is not occupied. The reference to your unrelated 2019 complaint is also noted.

We note your statement - *The Dec. 21 report implied Israel has a special duty of care to Palestinians on the West Bank and Gaza, based on the false claim that because it occupies the West Bank and Gaza, it is the guarantor of the Palestinian health system.*

Audience and Consumer Affairs has assessed this aspect of your complaint against the Corporation's editorial standards for accuracy and impartiality –

2.1 Make reasonable efforts to ensure that material facts are accurate and presented in context.

2.2 Do not present factual content in a way that will materially mislead the audience. In some cases, this may require appropriate labels or other explanatory information.

4.1 Gather and present news and information with due impartiality

4.5 Do not unduly favour one perspective over another.

We note the reporter's statement that concerned you - *But Israel's success in securing the vaccine won't mean the Palestinians benefit. Ghada Majadle from the charity Physicians for Human Rights says the Israeli government has not committed to sharing the vaccine.*

We are satisfied this is a newsworthy statement of fact by the reporter, that was relevant within the context of the story. Israel had secured the vaccine for its citizens, but that treatment did not extend to neighbouring Palestinians. The reporter then clearly attributes to Ghada Majadle the claim that the Israeli government has not committed to sharing it, and her view that Israel should do so, because it is morally and legally obligated to.

We note the reporter then makes clear to the ABC audience that - *Israel's Health Minister says the country's not responsible for vaccinating Palestinians, even if they're under Israeli military occupation or blockade.*

We are satisfied that both relevant perspectives on this contentious issue are presented and it is made clear there is a difference of opinion – the PA spokesperson arguing the vaccines should be made available, and the Israeli Health Minister's view that Israel is not responsible. We are satisfied that no one perspective was unduly favoured over the other.

ABC News acknowledges the Oslo Accords do indeed include a protocol that it is the legal responsibility of the Palestinian Authority to oversee vaccination programs. However, ABC News has explained how it made reasonable efforts to confirm that because Israel controls all imports to the West Bank and the certification of new vaccines, it has effective control over the availability of vaccines to Gaza, and that the Palestinians are unable to source new vaccines without Israeli approval.

We are therefore satisfied there was no editorial requirement to reference the provisions of the Oslo Accords, within the context of this report. The newsworthy focus, of the specific aspect of the report that concerned you, was the contrast between the speed of the Israeli rollout of the vaccine while the Palestinians were not in line to receive the treatment, despite rampant outbreaks, which had sparked calls for Israel to provide vaccines to the Palestinians.

We note your reference to reporting in the Jerusalem Post on 21 December. There was no editorial requirement for the reporter to present the information you identify from the Post, within the context of *The World Today* story. As you note, the *AM* report several days later made clear Israel's view that it was not obligated to vaccinate the Palestinians and that the Palestinian leadership had not made the request.

We note the *AM* report presented both the view of the Palestinians that Israel was obligated to assist, and the Israeli view that it was not. The presentation of these perspectives made clear to the ABC's audience that the issue was contentious, and we are satisfied that no one perspective was unduly favoured over the other.

We note your concerns about the following statement by the reporter from *The World Today* story, which Audience and Consumer Affairs has assessed against the Corporation's editorial standards for accuracy –

The Palestinians are looking for alternatives, like the Russian and Chinese vaccines while they wait for a global initiative that will give them at least 20 percent of the doses they need. But neither Russia's nor China's vaccines have been approved for use in Israel, which means it's illegal to transfer them to Palestinians, and they don't know when the global initiative will start.

As was made clear in the report, the Palestinians were not part of the Israeli vaccination rollout, so they were indeed "looking for alternatives", such as the Russian and Chinese vaccines. We are satisfied this is a newsworthy statement of fact. Your personal interpretation of the reporter's statement is noted.

ABC News has explained how the reporter made reasonable efforts to confirm the accuracy of his statement that *neither Russia's nor China's vaccines have been approved for use in Israel, which means it's illegal to transfer them to Palestinians* with a range of sources, including Physicians for Human Rights Israel (PHRI), Ali Rabbo - Director-General of the Palestinian Health Ministry and the WHO. It was explained to the reporter the reason being is that the Palestinians rely on the Israelis to certify medicines, as they control all importation and the Palestinians do not have their own pharmaceutical standards board to certify medicines. The advice to the reporter was that the approval was pending.

We further observe that ABC Radio news and current affairs programs have continued to cover the vaccination issue in the region, on a newsworthy basis, over time.

Your personal interpretation of the reports and the information you believe they should have presented is duly noted. Your reference to various other media reporting on the issue is also duly noted.

The ABC Code of Practice is available online at the attached link;
<http://about.abc.net.au/reports-publications/code-of-practice/>.

Should you be dissatisfied with this response to your complaint, you may be able to pursue the matter with the Australian Communications and Media Authority <http://www.acma.gov.au>

Yours sincerely

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Audience and Consumer Affairs