REPORT OF THE WORKING GROUP ON ISRAEL/PALESTINE POLICY
Reporting to the 41st General Council, August 2012

1. INTRODUCTION
The 40th General Council (2009) directed the General Secretary to

> engage in consultation, dialogue and study (with relevant partners and other interested parties), concerning implications of past and future actions to end the illegal occupation of Palestinian territory and enter into conversation as to how to move the two peoples toward reconciliation (including, but not limited to economic boycott), and to report to the 41st General Council 2012 and to provide continuing guidance to the other United Church courts until the 41st General Council 2012.

In May 2010, the General Secretary asked the Executive of the General Council to appoint a policy working group to help her in this work. The working group was composed of three members of the Executive:

- David Giuliano (Past Moderator of The United Church of Canada)
- Thom Davies (Member of the Executive of the General Council)
- Barbara White (Member of the Executive of the General Council)

Nora Sanders, General Secretary, General Council, worked closely with the working group throughout its process. They were supported by lead staff Bruce Gregersen (General Council Officer, Programs for Mission and Ministry). (See Appendix A for the GC40 motion and the working group's terms of reference; see Appendix B for details on how the working group did its work.)

The General Secretary offers this report, reflecting the outcome of the working group's deliberations, to the 41st General Council, meeting in Ottawa in August 2012, for its consideration and guidance. The hope is that it will contribute to The United Church of Canada's understandings of the conflict in Israel/Palestine and support those who seek a peaceful and just resolution. Until the report is considered by the General Council, it is not policy of the church, and its proposals are solely recommendations.

2. BIBLICAL AND THEOLOGICAL VISION
The working group's desire is that the United Church be able to contribute, even in a small way, to justice that leads to peace in Israel/Palestine. Justice and peace are important objectives; a deeper and perhaps even more compelling hope for this report is that it might contribute to dignity for all peoples in the region and respect for the particular calling of the land of Israel/Palestine. Without dignity for all the peoples of the land, and for the land itself, justice and peace cannot flourish.

The working group believes that the dignity of all peoples in the region must be at the heart of the policy directions set out in this report. Peace with justice, human rights, and international law will form the foundation of any peaceful resolution to the Israeli–Palestinian conflict. All of these principles, however, rest on a commitment to human dignity, and none will have lasting force without acknowledging the dignity of all people who are involved in this conflict. In the neighbour, through the stranger at our door, by the weakest and most vulnerable among us, we see the face of God.

We are called to respect the witness that the land of Israel and Palestine has offered through thousands of years. While much of this history has been clouded by violence and oppression, empires and occupation, exile and return, this land has also been shaped by an awareness of the sacred and transcendent. Whether it is the night journey of Muhammad, the vision of Solomon, or the prayer of Jesus in the Garden of

Gethsemane, here heaven and earth have come close to each other. The integrity of the three world faiths represented by the land of Israel/Palestine is at stake in how this conflict is resolved. Respect for the deep meaning of this land calls the church to work for justice, peace, and the dignity of its peoples. What happens in this land matters to the world.

3. HISTORICAL OVERVIEW

This brief overview offers background information to assist the reader in understanding the directions of this report.

Following World War I, after the defeat of the Ottoman Empire, the British assumed control of Palestine. This British Mandate period came to an end in November 1947, when Palestine was handed over to the United Nations, which partitioned the country into two states, one Arab and one Jewish. Arab nations rejected the partition and attacked the new state of Israel. The resulting Arab–Israeli war concluded in an armistice in 1949 that put in place what is known as the Green Line. About 750,000 Palestinian refugees forced from their homes by the war fled across the armistice line into neighbouring countries. The United Nations passed Resolution 194 establishing the "right of return" of Palestinian refugees created by the war. During the same time period, a significant number of Jewish refugees were forced out of neighbouring Arab countries. About 600,000 of these refugees were absorbed into Israel. The armistice resulted in approximately 22 percent of the Palestine of the British Mandate period in the control of Palestinian and Arab communities, and 78 percent in the control of Israel.

In June 1967, the Six-Day War was fought between Israel and Egypt, Jordan, and Syria. The result was Israel's capture and occupation of the West Bank, including East Jerusalem (from Jordan), as well as the Golan Heights (from Syria), and Sinai and Gaza (from Egypt). Israel subsequently illegally annexed East Jerusalem and the Golan Heights, and withdrew from the Sinai.[1] Under the terms of the Fourth Geneva Convention, of which Israel was a signatory, the territories captured during the war became occupied territories and subject to the terms of the Convention. Currently the occupied territories include the West Bank, including East Jerusalem,[2] and the Golan Heights. The United Nations passed Resolution 242 calling for Israel to withdraw from territories captured during the war.

Following the Six-Day War, Israel began establishing settlements in the occupied territories, which under the terms of the Fourth Geneva Convention are determined by most countries to be illegal. Canadian policy states

> Canada does not recognize permanent Israeli control over territories occupied in 1967 (the Golan Heights, the West Bank, East Jerusalem and the Gaza Strip). The Fourth Geneva Convention applies in the occupied territories and establishes Israel's obligations as an occupying power, in particular with respect to the humane treatment of the inhabitants of the occupied territories. As referred to in UN Security Council Resolutions 446 and 465, Israeli settlements in the occupied territories are a violation of the Fourth Geneva Convention. The settlements also constitute a serious obstacle to achieving a comprehensive, just and lasting peace.[3]

There have been numerous peace negotiations between the Palestinian representatives and Israel. The most significant were the Oslo accords established between 1993 and 1995. While generally seen now to have failed and no longer providing a meaningful path to peace, the accords did establish the current

[1] "Annexation" refers to the unilateral seizing of territory. See note 6 on the Fourth Geneva Convention.
[2] Most countries, including Canada, consider East Jerusalem part of the West Bank and occupied territories. This position is disputed by Israel.
[3] Foreign Affairs and International Trade Canada, *Canadian Policy on Key Issues in the Israeli-Palestinian Conflict: Occupied Territories and Settlements* (July 21, 2009), www.international.gc.ca/name-anmo/peace_process-processus_paix/canadian_policy-politique_canadienne.aspx?lang=eng&view=d.

division of the West Bank into three areas. Areas A and B make up approximately 38 percent of the West Bank. Area A is under full control of the Palestinian civil and security forces. Area B is under Palestinian administrative authority, with security responsibilities shared with Israel. In Area C, approximately 62 percent of the West Bank, Israel retains administrative and military authority and control. It is in this area that significant new Israeli settlement expansion is occurring (see map[4]).

Note: Maps are simplified and are meant to depict loss of Palestinian land. The green areas in 1967 represent Palestinian land as understood by international law. The white areas in the 2012 map do not distinguish Israel from Israeli-occupied territory.

Numerous additional processes have taken place from Oslo until today, including the Camp David Summit in 2000. Significant controversy exists around the reasons for the failure of the Camp David proposals. Following Camp David, several further initiatives were undertaken, including the Road Map for Peace from the United States, the European Union, the United Nations, and Russia. In recent years, further attempts have been made to maintain direct negotiations between Israel and the Palestinian Authority, with limited success.

In the midst of the conflict, Palestinian Christians have been significantly impacted. In 1948 the Christian population of the former British Mandate Palestine was more than 18 percent. Today it is approximately 2 percent. In the same period, Bethlehem has moved from being more than 90 percent Christian to about 15 percent. Palestinian-Christian leaders are clear in their assessment that Christians are leaving Palestine because of the Israeli occupation, not because of conflict with Muslim Palestinians. They are also profoundly disappointed that Christians around the world don't seem to know or acknowledge that they exist.[5]

[4] Source of map credited to the Palestine Israel Action Group, Ann Arbor Friends Meeting; adapted from Canadian Churches' Forum for Global Ministries, *A Moment of Truth: Kairos Palestine Ecumenical Three-Session Study Guide* (Toronto: CCFGM, 2011), p. 6.

[5] Ecumenical Accompaniment Programme in Palestine and Israel, and Jerusalem Inter-Church Centre, *Faith Under Occupation: The Plight of Indigenous Christians in the Holy Land* (Jerusalem: WCC Publications, 2012), www.eappi.org/index.php?id=7530.

4. WORKING GROUP ASSUMPTIONS

This section provides an overview of the working group's assessment of the key issues that frame the Israeli–Palestinian conflict. Section 5 will analyze selected issues in more depth, linking directly to proposed policy directions.

4.1 Israel came into existence following recognition of the horrors of the Holocaust. There was wide support throughout the world for the creation of a Jewish homeland. While there is disagreement about some of the events that surrounded the emergence of the state, it is indisputable that Palestinians have progressively been forced into smaller and smaller portions of the land they once lived in. The return of one people has meant the dislocation of another.

Yet Israel exists as a modern, democratic state. To now question its legitimacy or its right to exist is unacceptable. Israel came into being as a place where Jewish people could find safety and security, and where Jewish identity and culture could thrive. It is a homeland that connects Jews throughout the world with their ancient stories, and where Jewish identity has been focused throughout history.

It is also unacceptable to question the existence of a Palestinian people. To suggest that their identity has been recently manufactured or that the true Palestinian homeland is elsewhere ignores history. Palestinians have lived in Palestine for millennia. Their sense of identity comes from their own ancient stories that connect them to this land. It is unacceptable to deny the yearnings of Palestinians for a homeland or to diminish the importance of bringing a viable Palestinian state into being.

4.2 Through its military occupation, Israel maintains extensive control over the lives of Palestinians. Harassment, intimidation, and restrictions on movement are the substance of daily life for most Palestinians. Arbitrary closures of checkpoints and limits on movement in the West Bank restrict Palestinians' freedom, employment opportunities, and access to farmland. Israel controls who enters and leaves the Palestinian territories, as well as movement between sections of the Palestinian territories. There is no Palestinian airport, making travel to and from the territories difficult and dependent on Israeli authorization.

Construction of Israeli settlements, an extensive network of restricted roads, diversion of water resources, construction of the separation barrier, and military checkpoints are all expressions of the occupation and oppression of the Palestinian people.

In annexed East Jerusalem and parts of the West Bank, Palestinians face legal barriers to obtaining building permits, among other restrictions, prompting many families to build without permits. The lack of building permits has been used by Israel to justify home demolitions. Other restrictions are used to limit the expansion of the Palestinian population and to force Palestinians to relocate.

The annexation of East Jerusalem and the construction of illegal Israeli settlements in the West Bank effectively prevent the creation of a viable Palestinian state. It is unrealistic to expect Palestinians to negotiate a resolution to the conflict that would result in a Palestinian state that is neither viable nor functional. It is also not justifiable for Israel to expect Palestinians to negotiate in good faith while Israel continues to expand existing settlements and construct new ones.

4.3 From the origins of modern Israel, there has been opposition within factions of Palestinian society and in surrounding Arab states to the existence of a Jewish state. This has resulted in several wars that have threatened Israel's very survival.

Israelis have been deeply affected by suicide bombings and other forms of terrorism. The continuing firing of rockets from Gaza and Lebanon into Israel has only strengthened Israelis' resistance to making

concessions for peace. The Arab Spring has further heightened Israel's sense of vulnerability. Growing instability in Egypt and Syria threatens Israel's southern and northern border regions. Populist movements in surrounding Arab countries have generally been hostile toward Israel. Iran's leadership continues to threaten Israel with destruction.

It is impossible to overstate the threats to the existence of Israel, which are felt throughout the country and by Jews throughout the world. Security is a critical issue for Israeli citizens and is the predominant justification given for Israel's decisions relating to the occupied territories.

However, without a just resolution to the Palestinian−Israeli conflict, Israel cannot be at peace and secure. Just as Palestinians must reject violence as a tool to resist the occupation, Israel must reject violence and stop claiming threats to security to justify its oppressive decisions concerning the occupied territories.

4.4 Israel is unique among modern democratic states in that it has not defined its borders. This situation is the direct result of the occupation that began in 1967. Israel's continued military control over the West Bank, its extensive network of settlements—in particular, in the Jordan Valley—and its annexation of East Jerusalem and the Golan Heights have left it with unresolved and undefined borders.

The annexation of land following military action was prohibited under international conventions developed after World War II. These conventions are designed to offer a democratic and civilized alternative to the chaos of war and to prevent states that engage in war from benefiting from it. In particular, the Fourth Geneva Convention prohibits the annexation of land acquired through military occupation, and the transfer of populations into that land.[6] In simpler terms, the Fourth Geneva Convention prohibits an occupying power from "changing the map" or creating "facts on the ground."

4.5 It is impossible to know fully the dynamics of peace negotiations between Israelis and Palestinians. For example, Israel's view was that the Camp David peace summit in 2000 offered Palestinians an unprecedented peace proposal representing almost everything they desired. Evaluating this perspective is impossible because the terms have never been made public except in generalities. Similarly, recent revelations have suggested that Palestinians have offered equally unprecedented concessions, to the point of threats against the life of the Palestinian chief negotiator once these became public.[7] The working group believes neither Israelis nor Palestinians are solely to blame for the failure to negotiate or to reach an agreement.

4.6 Criticisms of Israel vary significantly and must be judged by their intent. Criticism that questions Israel's right to exist or that seeks to undermine its legitimacy as a state is unacceptable. Actions and language that demonize Israel are not helpful and can, in some cases, be antisemitic. Holding Israel, like any other modern democratic state, accountable for its actions is one way civil society strengthens democracy and justice.

The working group does not believe that criticism of Israel is evidence of antisemitism, and heard agreement on this from many Jewish leaders in Canada and Israel. However, when criticism seeks to delegitimize or demonize Israel, it can and should be questioned.

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[6] International Committee of the Red Cross, "Convention (IV) relative to the Protection of Civilian Persons in Time of War. Geneva, 12 August 1949" (entered into force October 21, 1950), www.icrc.org/ihl.nsf/full/380. The Fourth Convention is one of the most established and widely upheld treaties in international law. In occupied Palestine, it offers four protections for the civilian population: basic personal security, and prohibitions against the taking of land, the taking of natural resources, and resettlement of the occupying power's population into the territory.

[7] In May 2011, the Al Jazeera News network released more than 1,600 leaked internal documents from a decade of Israeli–Palestinian negotiations. These have become known as the Palestinian Papers.

The working group also takes seriously charges that church actions disproportionately criticize Israel in comparison to other countries in the region or other situations globally. The working group believes that Israel can and should be held to a higher standard than surrounding non-democratic countries or authoritarian regimes. It is precisely because of Israel's close identification with democratic ideals that it needs to be challenged on its policies around the occupation.

The working group further believes that since Israel's military occupation is the longest-standing ongoing occupation in the world, special attention and action are warranted. Equally important, Israel's decision to continue to build and expand settlements—in other words, to annex or, more accurately, steal land in the occupied territories—supports the need for criticism of and pressure on Israel in order to protect Palestinian rights.

The working group takes seriously questions about why Israel is currently the only country in the world being challenged by a global boycott, divestment, and sanctions movement (BDS). As will be explained later, in section 5.3, the working group questions some aspects of the larger BDS movement and proposes more focused economic action directed toward settlement activity. This kind of economic action is consistent with the church's longstanding practice of partnership. In every situation where the church has engaged in economic actions, it has done so because of the call of Christian partners in the region. This was true in South Africa and, more recently, in Sudan. Palestinian-Christian partners have called for Christians throughout the world to pay attention to what is happening in Israel/Palestine and to take economic action against the products of the occupation.

The working group is also deeply concerned that the occupation, particularly the building of settlements, is being supported financially and politically by Christian Zionist movements throughout North America. These organizations and churches operate out of a theology that the working group believes to be false. Palestinian Christians have similarly called on the Christian community throughout the world to confront this false teaching.

Finally, the working group notes the importance of international law in addressing situations of injustice throughout the world. Iraq, Afghanistan, and Libya are examples of countries left in significant turmoil by military interventions, and their citizens left even more vulnerable. In each case, as might also be true about Syria, the alternative could have been to employ significant sanctions and to prosecute, through the International Criminal Court, the leaders of the country for crimes against humanity. This is not to excuse the actions of such oppressive regimes but rather to be realistic that there are no easy solutions, and military interventions often make things worse.

In short, international law and conventions are important. Holding Israel accountable to international legal obligations is not a case of singling out Israel among nations. It is about affirming that holding every nation accountable to international standards of behaviour is necessary for the well-being of our world.

5. ANALYSIS AND POLICY DIRECTIONS

The working group believes the only solution to the pervasive injustice and ongoing violence in the region is for Israelis and Palestinians to engage in legitimate, good-faith negotiations that lead to an end to the occupation. It will be challenging to achieve this end in the midst of internal and external political pressures, significant imbalances in power, fear, mistrust, hatred, and pervasive religious ideology.

The working group believes peace is possible because the group has met Israelis and Palestinians who are willing to risk much for peace. Peace is possible because believing otherwise means nothing will be accomplished. It is also a fundamental Christian belief that with God all things are possible (Matthew 19:26).

This part of the report is presented in three parts. The first addresses issues surrounding the creation of a Palestinian state, the second addresses the security of Israel, and the third focuses on a number of specific proposals for action.

5.1 United Church policy should identify and support initiatives that work toward the creation of a viable Palestinian state.

The two-state model is widely recognized as the key option for the future of Israel/Palestine. However, as Israel continues to expand settlements and control water and productive land, a viable Palestinian state becomes less and less a possibility.[8]

Alternatives to a two-state model are increasingly being discussed.[9] These options range from a secular democratic state with protections for minority populations, to a binational or federated state with constitutional protections for constituent populations (as in Canada, with its anglophone and francophone populations).

There are significant challenges to one-state options, in particular the likelihood that such a state would soon have a majority Arab-Muslim population. Regardless of constitutional protections, it is inconceivable that the Jewish population of Israel would be willing to trust its security to such a solution.

The working group concurs that the window for a two-state option is drawing to a close. The unwillingness of the Israel government to withdraw from the occupied territories is only one of the major roadblocks. Israel's control of water, its military control of the Palestinian population, and the beliefs surrounding Israel's claim to all the biblical lands, among other issues, provide almost insurmountable obstacles.

While the working group acknowledges these realities, it notes that United Church partners and the Palestinian Authority continue to affirm and work toward a two-state solution. For Palestinians, the longing for a homeland is just as pervasive and deep as it was for Jews, who dreamed of a Jewish homeland for millennia. Both parties continue to speak of the acceptance of the two-state option as the only viable outcome.

Church policy must honour the right of self-determination for both Israelis and Palestinians. The choice of one or two states must be made by the peoples themselves. In whatever situation emerges, ending Israel's military occupation must be the starting point.

Settlements

As part of the occupation, Israel has initiated significant development of illegal settlements in the annexed areas of East Jerusalem and throughout the West Bank. It has sought to change the map by creating facts on the ground. Some of these settlements are small cities, while others are outposts. Almost 500,000 Israeli citizens live in more than 220 settlements in the occupied territories, linked by an extensive network of restricted roads. Together, the settlements and roads have meant a significant loss of land to

[8] For example, one of many reports referencing this possibility is European Union Heads of Mission, *Area C and Palestinian State Building* (July 2011): "The window for a two-state solution is rapidly closing with the continued expansion of Israeli settlements and access restrictions for Palestinians in Area C, the only contiguous area in the West Bank surrounding Area A and B. Area C compromises crucial natural resources and land for the future demographic and economic growth of a viable Palestinian State," (p. 1), http://thecepr.org/images/stories/pdf/area%20c%20%20final%20report%20july%202011.pdf.

[9] Benny Morris, among others, has written extensively on the one-state option. Benny Morris, *One State, Two States: Resolving the Israel/Palestine Conflict* (New Haven, CT: Yale University Press, 2009).

Palestinian people. This land has been seized through outright military action or legal processes that delegitimize Palestinian ownership and dispossess Palestinians. The settlements, combined with Israeli military checkpoints and the separation barrier, have resulted in extensive Israeli control over Palestinian society.

Some have argued that Israel's construction of settlements in the West Bank follows from the right of Jews to live anywhere. The Holocaust, in particular, makes it imperative that Jews resist attempts to eradicate Jews from any place, especially the land of Palestine. As important as these beliefs are, they miss the key points: people are illegally transferred into occupied territories, Palestinians are displaced, and land is annexed.

Construction of the settlements, roads, and security apparatus has led to the wrongful dispossession and treatment of Palestinians. Loss of homes, separation from farmland and families, destruction of ancient olive groves, and attacks and abuse from settlers, enabled by Israel soldiers, are all part of the legacy of the settlements.

The working group does not wish to minimize the threat felt by settlers who live in the midst of a hostile population. Some settlers have also experienced violence and attack. However, violence against settlers is sporadic and unpredictable. Violence against Palestinians is systematic, oppressive, and unrelenting. Settlers have also chosen to be where they are, while Palestinians have had little choice.

As part of an overall resolution of the conflict, the settlements must be closed, settlers returned to Israel, and land returned to Palestinians. In the case of several of the larger settlements that border the Green Line, a negotiated trade-off of land may be the only achievable solution. Through negotiation and compensation, some settlers might choose to remain in a Palestinian state. They should be assured the same level of protection and rights as other citizens.[10] The integrity and credibility of a Palestinian state would depend on the protection and encouragement it offers to religious minorities; Israel's credibility rests on these same principles.

Future peace depends on Israel ceasing expansion of the settlements. Unfortunately, the Israeli government has resisted pressure from the global community, including the United States, to do so. The working group regrets that in recent years Canada has not been an effective or credible voice for ending the occupation or the construction of settlements. The continued expansion of settlements raises questions about Israel's intention to negotiate in good faith.

Separation Barrier

The separation barrier, which Israel started building in 2002, will cover 702 kilometres, or twice the length of the Green Line, when it is completed. About 45 kilometres of the barrier will be an 8- to 9-metre-high concrete wall. The rest of the barrier will consist of a fence, razor wire, an electronic monitoring system, and a buffer zone.

Israel has built the separation barrier almost exclusively inside the Palestinian side of the Green Line, effectively annexing Palestinian land. In many locations, the barrier envelops productive agricultural land and gives Israel control of aquifers and other sources of water. In a number of locations, it extends far into Palestinian territory. The barrier separates not only Israelis from Palestinians, but also Palestinians from family, friends, and in many cases their land. The 9-metre-high concrete barrier, the expanding

[10] The working group heard from some Palestinians that the presence of the settlements following the creation of a Palestinian state should not be a problem as long as the settlers understand they will be required to remain citizens of the new state. Jews as citizens of Palestine would therefore parallel the existence of Muslim and Christian Palestinians living in Israel.

settlements, the Israeli settler/bypass roads, and the checkpoints combine to increasingly isolate the Palestinian city of Bethlehem, restricting its population from access to Jerusalem and other parts of the West Bank.[11]

Israel has declared the land between the barrier and the Green Line a "closed area." This area accounts for approximately 8.5 percent of the West Bank and encompasses up to 50,000 Palestinians. Palestinians who live in the closed area are required to apply for a permit to remain in their homes and access their property. Similarly, thousands of Palestinians whose farms lie on the opposite side of the barrier from their homes require permits to access their land. Access is limited by gates that are operated by the Israel Defense Forces on an infrequent and often ad hoc basis.

There are strong arguments that security alone does not justify the location of the barrier inside Palestinian territory; if security were the only motivation, the barrier could be constructed on the Green Line. The working group is also not convinced that the separation barrier was solely responsible for ending suicide bombings. Suicide bombings ceased even though many sections of the wall remain incomplete. Other factors likely led to the cessation of suicide bombings, such as strict measures the Palestinian Authority implemented against militants, a ceasefire, and a widespread consensus in Palestinian society that violence has been counterproductive.

In 2004, the International Court of Justice advised that the construction of the separation barrier is illegal as long as any part of it is constructed beyond the 1967 Green Line:

> To sum up, the Court, from the material available to it, is not convinced that the specific course Israel has chosen for the wall was necessary to attain its security objectives. The wall, along the route chosen, and its associated régime gravely infringe a number of rights of Palestinians residing in the territory occupied by Israel, and the infringements resulting from that route cannot be justified by military exigencies or by the requirements of national security or public order. The construction of such a wall accordingly constitutes breaches by Israel of various of its obligations under the applicable international humanitarian law and human rights instruments.[12]

Israel faces significant pressure from the global community and its own citizens to define its borders. It is logical to assume that the barrier has been constructed as a possible line of definition. Israel's Supreme Court, in a judgment that disagreed with the International Court of Justice's, accepted the premise that the barrier is justified only as a means of security. In other words, the Supreme Court said, the barrier cannot and should not be used to define Israel's border. Using the separation barrier to define Israel's border would mean a significant loss of land for thousands of Palestinians, and would represent a distinct attempt to change the map of the occupied territories prior to peace negotiations.

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[11] Canadian policy states the following about the barrier: "Canada recognizes Israel's right to protect its citizens from terrorist attacks, including through the restriction of access to its territory, and by building a barrier on its own territory for security purposes. However, Canada opposes Israel's construction of the barrier inside the West Bank and East Jerusalem, which are occupied territories. This construction is contrary to international law under the Fourth Geneva Convention. Canada not only opposes Israel's construction of a barrier extending into the occupied territories, but also expropriations and the demolition of houses and economic infrastructure carried out for this purpose." Foreign Affairs and International Trade Canada, *Canadian Policy on Key Issues in the Israeli-Palestinian Conflict: The Barrier*.

[12] International Court of Justice, *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, ICJ Reports 2004*, p. 136, www.icj-cij.org/docket/files/131/1671.pdf. The court's decision was not a judgment binding between two states bringing a case. It was an advisory opinion requested by the UN General Assembly. The opinion was meant to guide the General Assembly in its consideration of the legality of the barrier (Israel calls it the Security Fence). However, the advisory opinion contains what is probably the most important reasoning about the application of the law of occupation to Palestine.

Recently, following the Palestinian proposal for statehood at the UN, factions within the Israeli government called for the annexing of the settlements, their related road network, and the land inside the barrier. This would be an illegal and profound injustice to Palestinians and would effectively end the possibility of a Palestinian state. It would leave the Palestinian population divided into separated and disconnected containment areas.

Inequitable Access to Water

It is impossible to overstate the importance of water in this region. Water shortages lead to discomfort, hardship, serious public health issues, and severely restricted agriculture and livelihoods in the Palestinian territories.

The World Health Organization recommends minimum per capita water consumption of 100 litres a day. The daily per capita consumption in Israel is 242 litres in urban areas and 211 litres in rural areas. Settlements benefit from a daily allocation of 487 litres for household needs.[13]

In the West Bank, however, Palestinian consumption ranges from 73 litres per person to as low as 37 litres.[14] Settlements receive significantly higher quantities of water and more stable supplies than the Palestinian communities that surround them.

The Jordan Valley, which is part of the occupied territories, contains one of the richest supplies of water in the region. Israel has taken control of most of the water resources in the area, directing them to settlements. Some 10,000 Israeli settlers have access to an amount of water equivalent to one-third of the total water allocated to the entire Palestinian population of the West Bank—2.5 million people—allowing settlements to develop intensive, year-round agriculture.[15]

Israel has clear obligations as an occupying power (see note 6). It has legal and moral responsibilities to care for the rights of Palestinians. Diverting water in the occupied territories to solely benefit the occupants and commerce of Israeli settlements, and at the same time limiting the access of Palestinians to water under their own land, is profoundly wrong.

Violence

The United Church of Canada has consistently condemned all acts of violence by all parties in this conflict. Because of this position, the United Church has chosen not to comment on specific incidents of violence on either side over the past few years. Statistics about deaths and injuries are available and show a large and disproportionate impact on Palestinians.

Civilians on both sides have suffered from acts of violence. Violence takes many forms, and aspects of the structural violence of the occupation similarly affect both peoples but again have a very disproportionate impact on Palestinians.

"What resistance is acceptable in the face of oppression?" is a question the working group pondered. At one end of a spectrum of resistance, Palestinian citizens of East Jerusalem, annexed by Israel, have generally refused to participate in civic elections implemented by Israel because that would signal acceptance of the legitimacy of Israeli control. The end result is that the municipality uses this lack of

[13] B'Tselem: The Israeli Information Center for Human Rights in the Occupied Territories, "Taking Control of Water Resources" (May 18, 2011), www.btselem.org/jordan_valley/water.
[14] B'Tselem, "International Water Day: Chronic Water Shortage in the West Bank Due to Discriminatory Division of Shared Resources" (March 24, 2010; figures from 2008), www.btselem.org/water/20100324_international_water_day.
[15] B'Tselem, "Taking Control of Water Resources."

participation to justify vastly fewer resources offered to the area. At the other end of the spectrum is indiscriminate violence directed at civilians, such as suicide bombings. This the United Church, the global community, and most Palestinians reject as unacceptable.

Palestinian-Christian leaders, in a recent document entitled *A Moment of Truth: Kairos Palestine*[16] and in other, earlier documents, have condemned and rejected violence against civilians. Instead they have called for non-violent resistance to end the occupation, including economic boycotts. The document offers the following observations about resistance:

> Love is seeing the face of God in every human being. Every person is my brother or my sister. However, seeing the face of God in everyone does not mean accepting evil or aggression on their part. Rather, this love seeks to correct the evil and stop the aggression…. We say that our option as Christians in the face of the Israeli occupation is to resist. Resistance is a right and a duty for the Christian. But it is resistance with love as its logic. It is thus a creative resistance for it must find human ways that engage the humanity of the enemy.[17]

The authors of the *Kairos Palestine* document include Christian leaders like the Rev. Dr. Mitri Raheb, the Rev. Dr. Jamal Khader, and many others.

Israeli groups also offered to the working group significant examples of non-violent resistance to the occupation. Women in Black was formed by Israeli women in Jerusalem in 1988 following the outbreak of violence known as the First Intifada. Responding to what they call serious violations of human rights by Israeli soldiers in the occupied territories, they hold a vigil every Friday afternoon in central Jerusalem wearing black clothing as a sign of mourning for all the victims of the conflict. MachsomWatch is a group of Israeli women who monitor checkpoints in the West Bank out of opposition to the occupation.[18] Breaking the Silence is an organization of veteran Israeli soldiers who seek to expose to the Israeli public the truth about life in the occupied territories and the effects of military control on Palestinians' lives.[19]

These examples and others suggest that non-violent resistance that seeks to honour the humanity of Israelis and leaves space open for negotiation should be supported. In particular, non-violent resistance to the occupation, such as economic boycott, must not be rejected out of hand. To do so would be to undercut those Palestinians who have argued for non-violence as the way forward.

Christian Zionism and Its Support of the Occupation

The working group notes with deep concern the impact of some fundamentalist Christian movements in supporting the occupation. Christian Zionism, as such movements are called, is based on three theologically false arguments: that Israel owns all the land of ancient Palestine (including the land known as the West Bank) as part of an eternal covenant between God and the descendants of Abraham; that the establishment of modern Israel came as the fulfillment of God's promises in the Bible and as a sign of the imminent return of Jesus; and that since the Bible declares that those who bless Israel will be blessed and those who curse her will be cursed,[20] Israel must be supported uncritically and unconditionally.

In the most extreme expressions of Christian Zionism, the return of Jesus depends on every Jew in the world being gathered in a greater Israel and fully occupying all the historic land, including the West

[16] Released in Bethlehem, December 2009, www.kairospalestine.ps/?q=content/document. Hereafter referred to in this report as the *Kairos Palestine* document.
[17] *Kairos Palestine*, 4.21, 4.2.3.
[18] www.machsomwatch.org/en.
[19] www.breakingthesilence.org.il.
[20] Genesis 12:1–3.

Bank. This political theology leads to the belief that it is against God's will for the settlements to be withdrawn. Rather, settlements must continue to expand until every piece of the West Bank is fully occupied by the Jewish people.

Christian Zionist organizations such as Christians United for Israel (with chapters in the United States and Canada) raise millions of dollars for constructing settlements and relocating Jews from around the world. These organizations lobby governments in support of Israel's occupation and settlement projects.

Members of Christian Zionist movements, in their rare meetings with Palestinian Christians, have told them that it is God's will that they leave Palestine so Jews can have all the land. It is in this sense that the writers of *Kairos Palestine* spoke of biblical prophecy becoming a "word of stone…used as a weapon in our present history in order to deprive us of our own land."[21]

In 2006, the Patriarchs and Heads of Churches of Jerusalem issued the following statement about Christian Zionism:

> Christian Zionism is a modern theological and political movement that embraces the most extreme ideological positions of Zionism, thereby becoming detrimental to a just peace within Palestine and Israel. The Christian Zionist programme provides a worldview where the Gospel is identified with the ideology of empire, colonialism and militarism. In its extreme form, it places an emphasis on apocalyptic events leading to the end of history rather than living Christ's love and justice today.
>
> We categorically reject Christian Zionist doctrines as false teaching that corrupts the biblical message of love, justice and reconciliation.
>
> We further reject the contemporary alliance of Christian Zionist leaders and organizations with elements in the governments of Israel and the United States that are presently imposing their unilateral preemptive borders and domination over Palestine.
>
> This inevitably leads to unending cycles of violence that undermine the security of all peoples of the Middle East and the rest of the world.[22]

The impact of Christian Zionism must be countered by those in the Christian community who hold different interpretations. The influence of Christian Zionism has had a large impact on political decision-making and has overridden the voices of Palestinian Christians. In their most negative effect, Christian Zionist views have reinforced radical settler positions in Israel and undermined the potential for a peaceful resolution of the occupation.

5.2 United Church policy should uphold the safety and security of Israel as a homeland for the Jewish people.

The emergence and definition of a "new antisemitism" is a challenging reality. The old or classical antisemitism was obvious and identifiable as hatred of Jews. The new form is expressed as hatred of the Jewish state. The working group believes that there is evidence of this new antisemitism and believes the Christian community should guard against it. In simple terms, the motivations for and implications of criticism of Israel should always be examined.

One way of understanding the new antisemitism is captured by the threefold test of demonization, delegitimization, and double standards.[23] Each of these challenges raises cautions for the language and

[21] *Kairos Palestine*, 2.2.2.
[22] *The Jerusalem Declaration on Christian Zionism*, http://imeu.net/news/article003122.shtml.

directions of United Church policy. Criticism of Israel is not in itself antisemitic. However, there is significant disagreement about what constitutes acceptable criticism.

The United Church should continue to uphold and defend the legitimacy of the state of Israel, and ensure United Church policies do not undermine Israel's existence. Legitimate criticism of Israeli policies in fact contributes to and strengthens Israel's place among democratic nations. Criticism should engage Israeli policies fairly and openly in seeking to change those policies, not to question the existence of the state.

Jewish Character of Israel

The United Church recognizes Israel's right to exist as a Jewish state within safe and secure internationally recognized borders. However, the church has not defined what it means by the term *Jewish* state. The use of this term has become confusing and problematic for some partners of the United Church and for many inside and outside the church.

In 2003, the United Church added the phrase "as a Jewish state" to its recognition of Israel's right to exist. This phrase was added as an amendment in debate, with no preparatory work or definition. It was inserted not into a statement about the United Church's own recognition of Israel but into a statement addressed to the emergent state of Palestine and other neighbouring Arab states to recognize Israel's right to exist as a Jewish state within safe and secure borders.[24]

In 2006, the 39th General Council adopted an ethical investment strategy for peace in Palestine and Israel. It recommended investment in peaceful pursuits and described non-peaceful pursuits that, by implication, the United Church would not support, including "Canadian and international corporations and companies that…provide products, services or technology to any government or organization that refuses to recognize the legitimate rights of the State of Israel including its right to exist as a Jewish State."[25] This strategy has implications for our relations with countries and members of the World Council of Churches that do not explicitly recognize Israel as a *Jewish* state.

In 2009, the United Church changed its policy to require only the emerging Palestinian state, not neighbouring Arab countries, to recognize Israel's right to exist as a Jewish state within safe and secure borders.

In November 1947, United Nations Resolution 181, also known as the Partition Plan, was ratified with the goal of establishing a safe and secure homeland for Jews. It called for two independent, democratic states in Palestine—one Arab and one Jewish—although the term "Jewish state" was not defined. However, the plan explicitly required both Arab and Jewish states to guarantee "to all persons equal and non-discriminatory rights in civil, political, economic and religious matters and the enjoyment of human rights and fundamental freedoms, including freedom of religion, language, speech and publication, education, assembly and association."[26]

On May 14, 1948, the day before the British Mandate in Palestine was to expire, David Ben Gurion declared the establishment of the independent state of Israel. The subsequent constitution of Israel defines

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[23] These principles were first put forward by Natan Sharansky, a former Deputy Prime Minister of Israel, in his "Anti-Semitism in 3D," *Jerusalem Post* (February 23, 2004), www.hagalil.com/antisemitismus/europa/sharansky-1.htm.

[24] "Paths to Peace in Israel and Palestine – Resolution 83," *Record of Proceedings of the 38th General Council, 2003*, pp. 106–108, www.united-church.ca/beliefs/policies/2003/p162.

[25] "Ethical Investment for Peace in Palestine and Israel," *Record of Proceedings of the 39th General Council, 2006*, p. 718, www.united-church.ca/beliefs/policies/2006/e735.

[26] UN General Assembly, Resolution 181 (II) "Future Government of Palestine," November 29, 1947, http://domino.un.org/unispal.nsf/0/7f0af2bd897689b785256c330061d253.

Israel as "Jewish and democratic." Like the United Nations resolution, the Israeli constitution does not define "Jewish." It does declare it will "ensure complete equality of social and political rights to all its inhabitants irrespective of religion, race or sex; it will guarantee freedom of religion, conscience, language, education and culture; it will safeguard the Holy Places of all religions; and it will be faithful to the principles of the Charter of the United Nations."[27]

The working group heard from Palestinian leaders unanimous concern about recognizing Israel as a Jewish state. Palestinian Christians, in particular, expressed concern that if Israel is recognized as a Jewish state, a Palestinian state might seek to be recognized as an Islamic state. Their strong desire is that Palestine be a secular state with equal rights for all, regardless of religious adherence. The working group was urged to consider the implications of using terms such as "Jewish state" without careful consultation.

Palestinians also expressed concern for the Christian and Muslim minorities living in Israel, who have been treated differently and unequally from Jewish Israelis. For example, Christians and Muslims have fewer legal rights of return, access to housing permits, and freedom of movement and residency. They are, in essence, second-class Israeli citizens.

While Palestinian-Christian leaders supported Israel's right to exist as a safe and secure state, they called on Israel to meet the same conditions Israelis expect for the emerging Palestinian state: a secular democracy that grants full and equal rights to all citizens, regardless of ethnic and religious identity.

Israeli Jews expressed concern that, if the Jewish identity of Israel were negated, Jews would no longer be assured a safe and secure homeland. Israel, it is argued, is not the only state in the world that defines itself by nationality. Nor is it the only country in the world that expresses its collective identity through festivals and celebrations tied to religious observances. However, Israel is the only Jewish state in the world.

Today, there is significant disagreement among Israeli Jews about the meaning of "Jewish" to describe Israel. Chief Rabbi David Rosen stresses that the term "Jewish state" is meant neither as a confessional identity of religion nor as a theocratic state. Rather, it is meant as a cultural identity of a democratic state. Israel is to be recognized as a state established by Jewish people for their peace, security, and well-being.

According to Rosen and many like-minded Israelis, the challenge for Israel is to maintain its Jewish cultural identity while also being democratic and ensuring full and equal rights of all of its citizens. "If Israel is not democratic," Rosen said, "it is not Jewish." However, a growing number of ultra-Orthodox Jewish Israelis define Israel's Jewishness in religious and exclusivist terms. This group is the fastest-growing segment of the Jewish Israeli population. Secular Jews also represent a large segment of Israeli society, for whom the Jewish character of Israel is important but means something quite different from the definition of the ultra-religious.

The United Church acknowledges the real fears Jewish people have that another genocide could happen; it also recognizes that antisemitism throughout the world contributes to the ongoing fear of Jews for their safety and security.

There is justification for speaking of Israel as a homeland for the Jewish people, as Palestine will be a homeland for the Palestinian people. There is also justification for understanding the Jewish identity of Israel as comparable to the explicit role of state religions in many European countries and the United

[27] Israel Ministry of Foreign Affairs, *The Declaration of the Establishment of the State of Israel,* May 14, 1948, www.mfa.gov.il/MFA/Peace+Process/Guide+to+the+Peace+Process/Declaration+of+Establishment+of+State+of+Israel.htm.

Kingdom, or the implicit Christian identity of countries such as the United States. In all of these cases, the religious identity of the state is secondary to its democratic character, which affords equal rights and responsibilities to all citizens regardless of their religious or ethnic identities.

This approach is consistent with the United Nations resolution that brought Israel into existence. To affirm Israel as a homeland for Jewish people also embeds the existence of Israel in international law, and therefore reinforces Israel's obligation to be responsive and attentive to international law in its policies and actions concerning the occupation.

Israel has not defined what it means by calling itself a Jewish state. Any democratic country would be challenged, certainly by its minorities, if it chose to identify itself by its dominant religion. For example, if Canada chose to identify itself as a Christian nation, citizens of other religions would want to know what such a declaration would mean to their citizenship, identity, and human rights. Speaking of Israel as a Jewish state without defining what that means is a troubling and challenging issue for the 20 percent of the population of Israel that is Palestinian.

Thus, any United Church affirmation of Israel as a Jewish state must be accompanied with a clear explanation of its meaning—specifically, *as a homeland for the Jewish people and a democratic state that ensures complete equality of social and political rights to all of its inhabitants irrespective of religion, race, or gender.* With this understanding, it is possible for the United Church to continue to affirm Israel as a Jewish state.

Acceptance of Israel as a Jewish State as a Condition for Negotiations

It is unacceptable to insist that Palestinians accept Israel as a Jewish state as a precondition of continuing negotiations.

The requirement of one state to recognize the character of another state rather than its legal existence is unusual. Exceptions are found when the religious character of the state is found in its name—for example, "The Islamic Republic of Iran." Israel has not proposed changing its name, but rather is asking Palestinians to recognize its religious character as a condition for continued negotiations. This requirement has emerged only recently and is a significant impediment to good-faith negotiations. The Palestinian position, stated many times by President Mahmoud Abbas, is that Palestinians recognize Israel, and that Israel is free to define itself however it chooses.

Palestinians face many challenges in recognizing the Jewish character of Israel. Doing so could be seen as endorsing discrimination against the Palestinian minority in Israel. Jewish Israelis do not agree on what the Jewish character of Israel means. Significant components of Israeli law and life are based on ethnicity and nationality. While Palestinians can be citizens, they can never be "nationals," and therefore are denied certain rights and privileges that are accorded those who qualify for Israeli citizenship under the 1950 Law of Return.[28] Palestinians fear that affirming the Jewish identity of Israel will further entrench discrimination against Palestinians.

[28] The Israeli state spends 35 percent more in welfare support on Jewish citizens than on Palestinian citizens, although there are three times as many Palestinian-Israeli families living under the poverty line (Yoav Stern, "Study: Arabs may be poorer, but Jews get more welfare funds," *Haaretz*, March 28, 2007, www.haaretz.com/news/study-arabs-may-be-poorer-but-jews-get-more-welfare-funds-1.216881). Laws are enacted that privilege Jewish citizens over non-Jewish citizens for social and economic benefits, such as the Absorption of Discharged Soldiers Law. Benefits are conditional upon military service, from which Palestinian citizens are exempted (Mada al-Carmel, *Political Monitoring Report*, Issue 10, 2010, www.mada-research.org/UserFiles/file/PMP%20PDF/PMR10-ENG/pmr10-eng-final.pdf).

Israel does have a right to name its own character. Requiring Palestinians to recognize Israel as a Jewish state, however, should not be a precondition for peace negotiations. Instead, mutual statements of recognition can and should be part of negotiations.

Right of Return

The language of "return" is inseparable from any consideration of a homeland for both Palestinians and Israelis. "Return" has two distinct meanings in the context of Israel/Palestine. In Israel, the "law of return" refers to the declaration that any Jewish person in the world has the right to Israeli citizenship. This right acknowledges Israel's commitment to being a homeland and safe haven for Jews throughout the world, and ensures that Israel will remain a majority Jewish country.

For Palestinians, the law of return is particularly troubling given the significant difficulty Palestinians experience in seeking family reunification. For East Jerusalemites, it is even more troubling given the experience of many who have lost residency permits through technicalities, preventing them from living in their historic places of residence in the city.

In the Palestinian context, the "right of return" refers to United Nations Resolution 194 (1948), which resolved that

> the refugees wishing to return to their homes and live at peace with their neighbours should be permitted to do so at the earliest practicable date, and that compensation should be paid for the property of those choosing not to return and for loss of or damage to property which, under principles of international law or in equity, should be made good by the Governments or authorities responsible.[29]

While the legal significance of Resolution 194 is debated by Israel, in the Palestinian community it is understood as an inalienable right. For many thousands of refugees expelled during the creation of Israel in 1948, and for those who have lost their homes through other means or expropriation since, the right of return is an immensely important commitment of the world community to justice for Palestinians.

The main UN agency responsible for Palestinian refugees is the United Nations Relief and Works Agency for Palestine Refugees. Five million Palestinian refugees are eligible for UNRWA services located in 58 designated refugee camps in Jordan, Lebanon, Syria, the West Bank, and Gaza.[30] While not formally designated "refugees," a significant number of Palestinians have also lost their homes and livelihood through settlements, loss of residency status (in East Jerusalem), and other forms of dispossession. For these displaced people, the right of return represents a long-held dream of restitution and recovery of their ancient homes.

For Israel, the Palestinian right of return presents code language for the destruction of Israel. The loss of a Jewish majority through the influx of millions of Palestinians would mean the end of Israel as it currently exists.

In pragmatic terms, even in the Palestinian community the right of return is understood as a fundamental human right that could be resolved through negotiation. Palestinians should not be asked to give up a basic human right afforded to all refugees, and Palestinian officials have proposed ways forward. The solution would likely involve an acknowledgement of the injustice experienced by Palestinians, a token

[29] UN General Assembly, Resolution 194 (III), "Palestine—Progress Report of the United Nations Mediator," December 11, 1948, http://unispal.un.org/UNISPAL.NSF/0/C758572B78D1CD0085256BCF0077E51A.
[30] UNRWA, "Overview," www.unrwa.org/etemplate.php?id=85.

return to Israel offered to a limited number of Palestinians and compensation paid to the remaining Palestinian refugees, and the offer of settlement in a new Palestinian state or elsewhere in the world.

Use of the Word "Apartheid"

The charge that Israel is guilty of apartheid is highly controversial. The argument is that Israel's practices in the occupied territories, including occupied East Jerusalem, are similar to the racist practices of South Africa from 1948 to 1994. In apartheid South Africa, racist segregation and control were maintained as a government policy. Under the apartheid system of separate development, nine Bantu groups were assigned their own homelands, or *bantustans*, and movement outside of these homelands was strictly regulated. International opposition to and rejection of these policies led to the definition of apartheid in international law.[31]

The practices of apartheid throughout this era were also justified and supported theologically by many of the dominant Christian communities of White South Africa, which argued that the preservation and protection of national identities was part of God's design. In 1982, the World Alliance of Reformed Churches, meeting in Ottawa, declared that the issue of Christian support for apartheid was not just a matter of ethics or politics but also a matter of faith, saying: "We declare…that apartheid…is a sin, and that the moral and theological justification of it is a travesty of the gospel, and in its persistent disobedience to the word of God, a theological heresy."[32]

Israel rejects that it is practising apartheid, whether as defined in international law or by comparison with South Africa. In the West Bank, it notes the difference between a military occupation versus an established legal policy of a state. Further, Israel argues, it is clearly inaccurate to suggest that the experience of Arab-Israeli citizens in Israel is in any way comparable to that of apartheid South Africa.

If Israel were to finally annex the settlements, the restricted network of roads, and the land within the separation barrier, West Bank Palestinians would effectively be forced by Israeli law rather than military occupation into established containment areas. The resulting restrictions on Palestinian movement together with the effective containment and isolation of Palestinians into separated areas would effectively fit the definition of apartheid.

The working group believes the charge of apartheid applied to Israel shuts down conversation, disempowers those who desire and work for change in Israel, and does more to harm than to help the potential for successful peace negotiations. The working group therefore recommends that use of the language of apartheid be avoided. United Church action should focus on working toward ending the occupation and withdrawing settlements.

5.3 United Church should implement these proposals for action.

This section deals with a number of concrete actions the working group proposes that the United Church undertake.

Investments in Peace

As noted earlier, the 39th General Council adopted the statement "Ethical Investment for Peace in Palestine and Israel." The statement recommends the adoption of a pro-investment strategy with

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[31] The UN General Assembly's *International Convention on the Suppression and Punishment of the Crime of Apartheid* (November 1973) specifically refers to "inhuman acts committed for the purpose of establishing and maintaining domination by one racial group of persons over any other racial group of persons and systematically oppressing them," http://treaties.un.org/doc/Publication/UNTS/Volume%201015/volume-1015-I-14861-English.pdf.

[32] World Alliance of Reformed Churches, "Resolution on Racism and South Africa," *Ottawa 1982: Proceedings of the 21st General Council* (Geneva: WARC, 1983), www.warc.ch/dcw/bs25/11.html.

companies that engage in ethically responsible business, and contribute to peace and a secure and economically viable Palestinian state alongside a secure and economically viable Israel. The working group reaffirms the importance of investments for peace in the region.

In particular, the working group wishes to lift up the importance of strengthening the economic viability of Palestine. Political action needs to be undertaken to address key economic factors, such as access to water for agriculture and freedom of transport of goods to market. Tourism is a major contributor to the Palestinian economy and an area where United Church members travelling to the region can make a significant difference. The Alternative Tourism Group is an example of a Palestinian-based organization that works in this area.[33]

Olive trees represent a deep connection to the land for all Palestinians. Living for hundreds and at times thousands of years, these trees carry a symbolic meaning far beyond their economic contribution. However, they are also a significant economic factor in Palestinian society. Since 2001 Israel, through military and settler action in the West Bank and Gaza, has uprooted or destroyed more than 500,000 olive trees that belonged to Palestinian farmers and landowners. The Olive Tree Campaign of the international YMCA and YWCA movement is one example of an attempt to overcome this destruction. The goal of the campaign is to "keep hope alive" and to affirm and strengthen the commitment of Palestinians to work constructively toward peace.[34]

The working group also believes that investment in Israeli organizations and companies that support or contribute to peaceful pursuits is warranted and should also be encouraged.

Investments in Connection

Very few opportunities exist for Israelis and Palestinians from the occupied territories to interact. The Oslo accords created three separate administrative areas under various levels of control. Area A, under the full control of the Palestinian Authority, is considered foreign territory by Israel, thereby keeping out Israeli citizens. Similarly, West Bank Palestinians require permits to enter Israel, and many are prevented from doing so for a wide range of reasons.

Apart from these legal restrictions, the general expectation among Israeli Jews is that it is unwise and, in most cases, unnecessary to enter the West Bank. The exception, of course, is settlers, who travel on secure roads, often with personal weapons. While many Palestinians work in Israel, most of them are employed in casual jobs in East Jerusalem or the Old City. It would be as unexpected and unusual for a Palestinian to feel comfortable walking or driving in West Jerusalem as a Jewish Israeli would in Nablus or Ramallah.

Similarly, colleagues from Canada's Jewish community have little opportunity to experience life in the West Bank, and even less in Gaza. Our delegation to Israel/Palestine had opportunities to see the realities of the occupation that few Jews in either Israel or Canada are afforded.

Yet the potential for a true peaceful resolution of the conflict will depend on the goodwill of both peoples toward each other. The working group supports organizations such as Neve Shalom/Wahat al-Salam that are working at confidence-building measures through shared Israeli and Palestinian activities.[35]

[33] www.atg.ps.
[34] www.jai-pal.org/content.php?page=1.
[35] www.nswas.com. For a recent exploration of the thinking of the organization concerning the need for the end of the occupation, see http://nswas.org/spip.php?article755.

The working group also met with members of the Parents Circle–Families Forum. This organization is made up of Palestinians and Israelis who have lost family members as a direct result of the violence of the conflict. Despite their profound grief, they are able to challenge the belief on either side that it is impossible to talk.[36]

Investments in "Come and See!"

Millions of people visit the Holy Land every year. Many hundreds of them are people from The United Church of Canada. Few of these visitors seek out face-to-face encounters with the Christians who carry the 2,000-year-old history of Christianity in the place of Christ's birth, death, and resurrection. Most organized tours, conducted through Israeli companies with Israeli guides, have a far different interpretation of Palestinian realities than Palestinians themselves. Most tours enter the West Bank, but all too frequently tourists are advised against walking around freely and having contact with "Arabs." Tour buses visiting the Church of the Nativity in Bethlehem, for example, rarely stay for more than an hour, and little or no money is spent in the local economy.

Palestinian Christians have recently identified guidelines and suggestions for meaningful visits to the Holy Land. These include a call to choose, at least for part of a visit, to join a Palestinian tour group, to spend money in the local Palestinian economy, to receive and enjoy Palestinian hospitality, to visit with Palestinian civil society groups, and to learn about the situation Palestinians face.[37]

Focused Economic Action

The working group believes that economic action against the occupation is warranted. Such action needs to be focused specifically against the products of the occupation. It needs to raise awareness that the occupation can no longer be justified. The goal of such action needs to be clearly defined: that it is immoral and unethical to support the existence of the settlements, so any and all products produced in the settlements and through the occupation should be avoided.

The working group acknowledges the participation of many people throughout the world in campaigns directed against the occupation and working for a just peace for the region. Some campaigns, however, cross lines of legitimate criticism of Israeli policy by the use of language that delegitimizes Israel's existence. The challenge is to engage and support actions that call Israel to behaviour that is consistent with its highest ideals as a democratic nation that is accountable to the global community of nations. The *Kairos Palestine* document calls for "economic and commercial boycott of everything produced by the occupation."[38]

In conversations with a number of the writers of this document, it was clear that one objective of this section was to call on Palestinians themselves to support locally produced products, and that a small shift in use from Israeli to Palestinian products could result in tens of thousands of new jobs in the Palestinian territories.

The challenge with the boycott, divestment, and sanctions (BDS) movement as a whole is that it involves too broad a spectrum of participants with significantly varied and sometimes unacceptable goals. For example, seeking to boycott all Israeli products and activities leaves the impression that the existence of Israel itself is challenged. Similarly, a boycott of Israeli academics undercuts a segment of Israeli society widely known for its opposition to government policies; such a policy, therefore, appears counterproductive.

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[36] www.theparentscircle.com.
[37] See the Code of Conduct on the Alternative Tourism Group site, www.atg.ps/index.php?page=code_english.
[38] *Kairos Palestine,* 4.2.6.

The 39th (2006) General Council's "Ethical Investment for Peace in Palestine and Israel" statement proposes that the church and its members make investments in relation to Israel/Palestine in only those vehicles that represent peaceful pursuits. The proposal goes on to identify that

> non-peaceful pursuits would include Canadian and international corporations and companies that:
> i. provide products, services or financial support to groups that engage in violence against Palestinian or Israeli persons; or
> ii. provide products, services or technology to any government or organization that refuses to recognize the legitimate rights of the State of Israel including its right to exist as a Jewish State;
> iii. provide products, services or technology that sustain, support or maintain the occupation;
> iv. have established facilities or operations on occupied land;
> v. provide products, services or financial support for the establishment, expansion and/or maintenance of settlements on occupied land or settlement-related infrastructure;
> vi. provide finances or assist in the construction and /or maintenance of the separation barrier within occupied territories.[39]

Specific and focused economic action directed at products produced in the settlements is consistent with United Church policy developed over a number of years. It builds on and offers clarity to the actions of the 40th General Council (2009) in encouraging "United Church Conferences, Presbyteries, congregations and community ministries immediately [to] enter into consultation, dialogue, study and prayer, and then to take appropriate action toward ending the illegal occupation of Palestinian territory, and enter into conversation as to how to move the two peoples toward reconciliation (including, but not limited to, economic boycott)."[40]

Such action also reflects the understanding that Israel's continued expansion of the settlements is the most critical reality undermining the potential for good-faith negotiations between the two peoples. As long as Israel continues to establish and expand settlements on land illegally seized or expropriated from Palestinians, to create "facts on the ground," then there is no incentive for Israel to either end the occupation or move from negotiation to final resolution.

Many Israelis see this reality and wish for a just and equitable end to the occupation. The challenge they face is the entrenched political realities of Israeli society that give immense power to the settler movement and its supporters.

Therefore the working group believes that specific action directed at settlement products is warranted. This is consistent with initiatives undertaken by the World Council of Churches and many European churches.

Continued Participation in the Ecumenical Accompaniment Program for Palestine and Israel

The United Church has been a significant supporter of the Ecumenical Accompaniment Program for Palestine and Israel (EAPPI). This project of the World Council of Churches involves people from around the world, through their participating church communities, accompanying for a three-month period Palestinian (and in some cases Israeli) people as they experience the realities of occupation. Sometimes this work involves documenting human rights abuses or harassment of Palestinians as they try to cross checkpoints—for example, walking with children on their way to school through a checkpoint and past settlers. Such experiences have been life-changing for EAPPI accompaniers and life-giving for Palestinians.

[39] www.united-church.ca/beliefs/policies/2006/e735.
[40] *Record of Proceedings of the 40th General Council, 2009,* p. 189, http://gc40.united-church.ca/files/ROP2009_complete.pdf.

In 2012, the United Church expects to send five people to the EAPPI. The working group encourages continued support of and participation in this program.

6. CONCLUSION AND SUMMARY

The report began by lifting up the desire for dignity and respect for both peoples and for the land. It is the working group's hope that these qualities will carry forward into how this report is considered by General Council, and how any future action that follows will be conducted. The possibility of peace depends on the world having respect for both Israelis and Palestinians.

The United Church of Canada, on its own, can make only small and limited contributions toward peace in Israel/Palestine. Yet, as followers of Christ, we are called to live out of hope, forgiveness, and love that not even death can overcome.

This report makes the judgment that the first step to peace is to end the occupation. While the occupation exists, injustice will continue to fuel Palestinian anger. Without a resolution, Israelis will continue to be occupiers and oppressors of the Palestinian people. As the occupation continues, Jewish extremists will demand and receive state support for settlements and will continue to be reinforced in their beliefs.

It is long past the point where claims of complexity can remove responsibility for making judgments about the situation. Simply put, Israel is maintaining a harsh occupation that must end so peace can emerge. The occupation is damaging both Palestinians and Israelis. The occupation is being implemented by a democratic country and sustained and supported by Western governments, including Canada's. And the occupation is being legitimized and endorsed by theologically false Christian theology.

Palestinian Christians have called on partner churches throughout the world to address the injustice of the situation. They have asked for concrete and non-violent actions to end the occupation. And they have asked that Christian theologies that support the occupation be challenged.

The working group offers this report to United Church members as a response to this call and as a contribution to the church's continued journey in its long history of engagement with the peoples of the region.

7. RECOMMENDATIONS

The General Secretary, General Council proposes:

That the 41st General Council (2012) receive the Report of the Working Group on Israel/Palestine Policy, and direct that United Church policies and actions in relation to Israel and Palestine reflect the content of the report.

The General Secretary, General Council proposes that the 41st General Council (2012) direct that United Church of Canada policy:

In respect to the conditions necessary for peace:

1. Continue to identify the end of the occupation as necessary for peace in the region by:
   a. continuing to name the occupation as the primary contributor to the injustice that underlies the violence of the region
   b. identifying the end of all settlement construction by Israel as a necessary first step in entering into good faith negotiations toward ending the occupation
   c. calling on Israel to dismantle settlements within the occupied territories
   d. calling on Israel to dismantle the separation barrier in all sections where it crosses over the Green Line
   e. identifying equitable access to water as a critical factor in a just settlement of the conflict
   f. urging the Canadian government to provide leadership among nations advocating for the end of the occupation

2. Continue to call for a rejection of all forms of violence by all parties in the conflict.

3. Affirm that non-violent resistance to the occupation is justified and should be supported by all who seek an end to the occupation.

4. Acknowledge with deep regret the past policy of calling on Palestinians to acknowledge Israel as a Jewish state.

5. Affirm the importance of a just resolution of the rights of refugees throughout the world and the Palestinian Right of Return by continuing to uphold the legal rights of all refugees to return to their home, affirm that in the situation of Israel/Palestine this right extends to both Jewish and Palestinian peoples, and support a negotiated settlement to the Right of Return for Palestinian refugees that maintains the demographic integrity of Israel.

6. Address the critical role that some forms of Christian theology have played in legitimizing the occupation by:
   a. challenging Christian beliefs that theologically justify the occupation and Israel's possession of a greater Israel that includes the West Bank, East Jerusalem, and Gaza
   b. requesting that the Theology and Inter-Church Inter-Faith Committee explore the implications of theologies and beliefs that support the occupation

In respect to actions to be taken by The United Church of Canada:

7. Call on United Church members to take concrete actions to support the end of the occupation by:
   a. encouraging members of the United Church to avoid any and all products produced in the settlements

b. directing the Executive of the General Council to give high priority to establishing a church-wide campaign of economic action directed against one or more settlement products that can be identified as produced in or related to the settlements or the occupied territories
c. identifying the goal of the campaign as building awareness of United Church members of the illegal settlements' unjust continuation of the occupation and its impact on the lives of Palestinians and Israelis
d. supporting the campaign through accompanying resources such as this working group report, the *Kairos Palestine* document, and others that are clearly directed toward an end to the occupation
e. directing the Executive of the General Council to explore the wisdom of divesting in companies that are profiting from or supporting the occupation
f. requesting that the Canadian government ensure that all products produced in the settlements be labelled clearly and differently from products of Israel
g. requesting that the Canadian government ensure that products produced in the settlements not be given preferential treatment under the Canada–Israel Free Trade Agreement
h. inviting the participation of other Canadian churches in the campaign

8. Identify the importance of trust-building programs between Palestinians and Israelis by:
   a. encouraging stronger connections between United Church programs and organizations that build understanding between Palestinians and Israelis
   b. exploring and supporting initiatives for increasing connections in Canada between Palestinian Canadians and Jewish Canadians

9. Emphasize the importance for all Christians, and in particular members of the United Church, of visiting and engaging directly with Palestinian Christians by:
   a. encouraging United Church people to respond to the call from Palestinian Christians to come and see the Holy Land through their eyes, encouraging support of Palestinian-based tourism, and providing materials to United Church members for supporting ethical travel in the Middle East
   b. encouraging positive economic action in support of the Palestinian economy and making available to United Church members information on programs and services like the Alternative Tourism Group and the Olive Tree Campaign
   c. continuing to support the Ecumenical Accompaniment Program for Palestine and Israel and encouraging United Church members to participate

APPENDIX A. TERMS OF REFERENCE: GCE WORKING GROUP ON ISRAEL/PALESTINE (MIDDLE EAST) POLICY

Purpose
The GCE Working Group on Israel/Palestine Policy will develop a report and recommendations that will assist the General Secretary of General Council in reporting to the 41st General Council as directed by the 40th General Council (2009):

> *Direct the General Secretary, General Council, to engage in consultation, dialogue and study (with relevant partners and other interested parties), concerning implications of past and future actions to end the illegal occupation of Palestinian territory and enter into conversation as to how to move the two peoples toward reconciliation (including, but not limited to economic boycott), and to report to the 41st General Council 2012 and to provide continuing guidance to the other United Church courts until the 41st General Council 2012.*

Tasks
The Working Group will:

- Build on previous General Council and GCE actions in respect to the Middle East.
- Include in their consideration the commitments and affirmations of "Bearing Faithful Witness."
- Take into account the actions of ecumenical partners concerning the Middle East, and in particular, take note of the recent statement of Palestinian churches in the region.
- Listen to, consult, and dialogue with broader ecumenical relationships, including Palestinian, Muslim, Jewish, and Israeli organizations.
- Study the social and historical context of the region and various ongoing initiatives for peace.
- Advise the General Secretary and Executive of the General Council on the content and directions of the report to the 41st General Council.

Membership
Three members of the Executive of the General Council will be selected through the GCE nominations process.

Members will include skills and experience that represent the following:
- willingness to work from the established positions and policies of The United Church of Canada
- capacity and willingness to study and research the complex issues involved
- sensitivity to and experience in dialogue
- ability to undertake travel in the region (one trip of approximately 7–8 days.)

Staff Resource
General Council Officer, Programs
Other staff as needed assigned from the Justice, Global and Ecumenical Relations Unit

Background

GC40 adopted the following:

> **Proposal: Implementation of Measures towards Peace in the Middle East**
>
> That the 40th General Council 2009
>
> 1. Record its convictions that a just peace in the Middle East will require:

- The denunciation of Human Rights abuses committed by Israel and Palestine, as documented by Amnesty International and the United Nations, that will result in Member States of the United Nations taking subsequent, appropriate actions;
- That the occupation and siege of Gaza by Israel cease, requiring the full withdrawal of Israeli forces from Gaza;
- That the Government of Canada and Member States of the United Nations support international efforts to alleviate the humanitarian and economic situation in Gaza;
- The withdrawal of Israeli military forces to pre-1967 borders and ending all forms of violence by the Israeli Government upon the Palestinian people;
- The cessation of suicide bombings and other violent attacks directed towards Israeli civilians on the part of Palestinians;
- Recognition that East Jerusalem, West Bank and the Gaza Strip constitute an integral part of the territory occupied in 1967 and Israeli settlements in the West Bank and East Jerusalem must be dismantled;
- The recognition by the emergent State of Palestine of Israel's right to exist as a Jewish state within safe and secure borders;
- The recognition by the Israeli Government and the emergent state of Palestine of equal citizenship rights, protections, privileges and responsibilities for all of their respective citizens regardless of religious or national origins.

2. Direct the General Secretary, General Council to inform the Prime Minister of Canada and the Minister of Foreign Affairs, in writing, of the above convictions and urge that Canadian policy and commitments in the Middle East reflect this position.

3. Affirm The United Church of Canada's participation in the Ecumenical Accompaniment Program in Palestine and Israel and seek further ways of augmenting our physical presence in the Middle East.

4. Support the principles of the Amman Call particularly those that promote Peace-Making, Bridge-Building and the development of long term strategies for peace and right relations.

5. Direct the General Secretary, General Council to engage in consultation, dialogue and study (with relevant partners and other interested parties), concerning implications of past and future actions to end the illegal occupation of Palestinian territory and enter into conversation as to how to move the two peoples toward reconciliation (including, but not limited to economic boycott), and to report to the 41st General Council and to provide continuing guidance to the other United Church courts until GC41.

6. Recommend that the United Church Conferences, Presbyteries, congregations and community ministries immediately enter into consultation, dialogue, study, and prayer, and then to take appropriate action toward ending the illegal occupation of Palestinian territory, and enter into conversation as to how to move the two peoples toward reconciliation (including, but not limited to economic boycott).

7. Affirm the United Church's support of its partners through financial commitment, solidarity, delegations and ecumenical accompaniment.

APPENDIX B. HOW THE WORKING GROUP DID ITS WORK

The working group was supported by staff of the Partners in Mission Unit, including the lead staff for Middle East relations, Wendy Gichuru; and overseas personnel, Chris and Susan Ferguson, who worked with the Heads of Churches of Jerusalem and resided in the region for several years.

The working group undertook a series of consultations inviting input from a broad range of interested parties, including:

- United Church groups engaged in working on issues surrounding Israel/Palestine
- Canadian-based Palestinian groups and organizations working in support of Middle East peace
- Jewish rabbis, individuals, and organizations
- United Church theologians concerned with United Church–Jewish relationships
- individuals who offered the working group unique perspectives on the situation in Israel/Palestine

The working group greatly appreciated the seriousness and depth of preparation that many groups took in the consultations. It valued the familiar contacts with groups within United Church circles who are deeply committed to their engagement with issues in the region. The working group also greatly appreciated the opportunity to meet with many groups and individuals for the first time.

The group travelled to the region and met extensively with partner organizations in Israel and Palestine. These organizations included ecumenical partners, church-based organizations, Palestinian and Muslim groups, Israeli organizations, and human rights and research groups. The working group also valued the opportunity to meet many individual Palestinians and Israelis and to hear their stories. Significant and special appreciation is offered to the Jerusalem Inter-Church Centre in helping to make the context and lives of Palestinians accessible.

The working group requested and received support from the Canadian Jewish Congress in planning a portion of the trip. These visits and conversations included senior government, legal, press, and religious representatives. The Congress contributed to the breadth of work of the working group in inviting it to see the context and meaning of the land of Israel through the eyes of Jewish and Israeli colleagues.

The history and realities surrounding the Israeli/Palestinian conflict are indeed complex. This report is not intended to provide a summary of this history but rather to set a context for policy decisions of the United Church concerning the conflict. The United Church has, over many decades, worked with ecumenical agencies and church bodies in the region. Through partners like the Middle East Council of Churches, the Near East Council of Churches and its Department of Services to Palestinian Refugees, and other partners, the United Church has provided resources and personnel to assist in the social and economic needs of people in the area. The church has also been involved in significant public controversy concerning both its policies and the actions of United Church–related organizations in respect to Israel/Palestine.