

IN SUPPORT OF JUST PEACE IN PALESTINE AND ISRAEL: A CALL TO COSTLY SOLIDARITY

Origin: Just Peace Task Group

The report—Towards Peace in Palestine and Israel: A Call to Costly Solidarity (PMM20)—adopted by the Executive of the 42nd General Council called for a process to review the church’s policy on Palestine and Israel in light of the changing context and partner calls for solidarity. In November 2018, The Executive of the 43rd General Council of The United Church of Canada appointed a reference group of four persons to:

- undertake a review and consider current United Church of Canada policies on Israel and Palestine in light of the current reality and partner requests;
- receive perspectives from members of the United Church, partners and other relevant organizations; and
- provide advice and recommendations to The Executive of the General Council.

1. How we understand our task

Based on partner requests, the team decided to address three specific issues, which have proven to be challenging in the existing policy:

- the Boycott Divestment and Sanctions (BDS) Movement;
- the use of the word or term apartheid in relation to Israel; and,
- the use of the term Jewish state to refer to Israel.

These three questions were consistently brought into our discussion with the individuals and groups with whom we interacted in the course of our listening and learning.

As our work evolved, over almost three years, it became clear to us that we needed to articulate a set of principles to guide both policy and practical decisions for the Executive of the General Council and staff in the General Council Office who are tasked with addressing these issues. In particular, we have sought to frame the conversation through a lens of decolonization.

Members of the task group are: Rev. Dr Martha ter Kuile (chair), Rev. Brenna Baker, Very Rev. Jordan Cantwell, Rev. Jim Cairney and Rev. Michael Blair (until November 2020). The staff resource persons are Wendy Gichuru, Global Program Coordinator, Africa/Middle East Partnership Program and Emo Yango (as of November 2020), Network Coordinator, Intercultural Ministries and People and Partnership.

Due to the impacts of COVID-19, the Executive of the General Council approved an extension to the timeline for the submission of the group’s report to November 2021. Appendix A provides some background as to how the group engaged its mandate.

2. Through a lens of decolonisation: The changing role of the national church in setting and implementing policy

Historically, following in the footsteps of its founding denominations, The United Church of Canada has understood itself to be at the centre of a narrative in which the good news of the gospel spurs actions toward justice. Responding to the Biblical injunction to proclaim good news to the poor, the church has been a confident proponent of social change which would favour the marginalised. It has placed itself in solidarity with those who suffer. It has taken on the task of 'Mending the World' (1997) as its mandate.

This basic orientation has yielded a mixed harvest. While we recognize the deep faith and personal humility that motivated the efforts of previous generations, we would now evaluate many of them differently. The same impulses that drove the development of public education and universal healthcare expressed itself in cultural genocide and social destruction through the Indian Act and the residential school system, and in an approach to missionary activity abroad, most of which we would now repudiate¹.

We begin to see many of the church's activities, indeed even its identity, as the product of a colonial and colonizing culture. As a key institutional player in this dominant culture, the church's voice, even when raised in critique, has re-inscribed the hegemonic discourse and reinforced the idea that some voices are the important ones. Asserting itself as a privileged interlocutor in matters of public policy, the church has developed and articulated policy positions from a standpoint of moral authority, as if it were disengaged from its own context. We need to own the layers of arrogance, systemic racism, and exclusion which have been a part of our heritage. On Palestine and Israel, it is impossible to overlook the link between the Canadian settler experience and the dispossession of Palestinians from their lands and resources.

Learning to speak with institutional humility must be the goal of a decolonizing church. De-centering whiteness within the church must be matched with a willingness to step away from the centre in the church's policy pronouncements. This will come as a disappointment to some, including some of our partners, who are accustomed to hearing the church speak with the voice of authority. But we need to take a pause from pontificating. When we do this, new insights emerge.

The Task Group proposes a different approach to policy development. Instead of offering prescriptive statements on particular issues, we present a number of principles, rooted in the church's historical theological understandings and its commitments to becoming an anti-racist church, which would guide the response of the church as specific questions and new situations

¹ The church has articulated its commitments to this work of decolonization in foundational documents including its [Commitment to Becoming an Anti-racist Church](#) (2020); the implementation of the [Calls to the Church](#) (2018); the [Repudiation of the Doctrine of Discovery](#) (2012); and [Living Faithfully in the Midst of Empire](#) (2006).

appear. We believe these principles may prove to be useful more broadly than in the context of Palestine - Israel. We also believe these principles allow the church to speak and act with consistency and clarity, in ways that support rather than appropriate the voices of others.

3. Theological Framework --A Theological Centering

In the many conversations of this task group, which make up a small portion of a much larger conversation, we have often wondered, "Who are we to speak to -- and into -- the on-going conflict in Israel and Palestine? What is our particular calling here?" There is a place in this conversation for politicians, for philosophers, for those studying international law, and certainly for those who experience the devastating consequences of the conflict in their day to day lives. We are none of those things. However, we have sufficient theological capacity to give clarity to the question, "What is our particular calling here?"

From our Christian partners in the region, we have been asked to speak as followers of Jesus Christ. We are being asked to own our core identity as Christians, embodying a posture of self-sacrificial love in service to neighbour, and a commitment to justice and peace. In that light, we recall that Christ does not call us to be polite or to walk some middle line until all parties are appeased, but rather, Christ calls us to stand in costly solidarity with those who seem most at risk of losing the fullness of life that God intends for all people. Our recommendations seek to reflect that particular calling as Christ's church, a calling we hear echoed in one of our core theological statements, A Song of Faith:

*"We sing of God's good news lived out, a church with purpose...
resistance to the forces that exploit and marginalize,
fierce love in the face of violence,
human dignity defended..."*

The commitments to becoming anti-racist, seeking to decolonize our ways of being and doing, and seeking to be in costly solidarity, shape and inform the key principles which the task group recommends. We believe these principles should inform the church's response to situations of injustice wherever we are called to respond, including in Palestine and Israel.

4. Principles for decisions and action toward a just peace

Derived from the theological centering, from our values as people of Christian faith, and our historical commitments, and offered with humility, we are a church:

- a) with zero tolerance for all forms of racism, including antisemitism²;
- b) committed to listening to partners, and resisting the temptation to jump in as a "saviour;"
- c) learning that listening may demand a response that invites us to costly solidarity;

² The United Church of Canada's Theology, Inter-church and Inter-faith Committee (TICIF) reviewed the definition of antisemitism as defined in the March 2021 [Jerusalem Declaration on Antisemitism \(JDA\)](https://jerusalemdeclaration.org/), and recommended that the Just Peace Task Group might consider it a helpful definition to use (<https://jerusalemdeclaration.org/>)

- d) seeking to speak truthfully, even when the truth is painful; with courage to name things as they are;
- e) seeking to decolonize the justice work of the church;
- f) striving to speak and act with humility;
- g) open to fresh revelations of historic injustices which compel us to shape and re-shape our understanding of the demands of justice;
- h) that affirms people's right to engage in non-violent resistance to injustice;
- i) that promotes respect for and commitment to upholding international law, including political, civil, cultural, economic and social rights--including the right to self-determination;
- j) that promotes equity, mutuality, and respect as the path to right relations, in the spirit of the United Nations' Declaration on the Rights of Indigenous Peoples;
- k) that supports processes and systems that lift up those who are marginalized and oppressed;
- l) that recognizes that in some situations, there are multiple oppressions and injustices and seeks to avoid false dichotomies in our analyses and statements;
- m) that is accountable for how our words and actions can be misused to fuel polarizing controversies, and historical and existing injustices; and,
- n) has a deep desire to stay in dialogue with partners and to stay in relationship even when we are in disagreement.

5. The principles in action

A) On the Boycott Divestment and Sanctions (BDS) Movement

When viewed through the lens of the principles, The United Church of Canada could support the right of partners to endorse and engage BDS, as well as the rights of individuals and organizations to engage in and promote BDS – without necessarily supporting all aspects of their mission and activities. It could support the right to non-violent forms of resistance in the face of injustice.

The BDS Movement refers to the 170 Palestinian unions, refugee networks, women's organisations, professional associations, popular resistance committees and other Palestinian civil society bodies, who in 2005 organized around a three-tier, grass-roots set of economic practices and tactics used globally to pressure the Israeli government into amending policies that restrict Palestinian self-determination. The BDS Movement calls for non-violent pressure on the State of Israel until it complies with international law by meeting three demands:

- ending its occupation and colonization of all Arab lands and dismantling the Wall;
- recognizing the fundamental rights of Arab-Palestinian citizens of Israel to full equality; and
- respecting, protecting and promoting the rights of Palestinian refugees to return to their homes and properties as stipulated in UN Resolution 194.

The BDS practices may be implemented by individuals in their personal consumer choices (boycotts), by groups (organizations may divest from companies that support the occupation), or by governments in the case of sanctions.

While this movement was launched by the Palestinian people and has grown into an international movement, the practices are not new. Notable examples of effective boycotts, divestment, or sanctions can be seen in the Montgomery Bus Boycott, which drew attention to the injustices of segregation in the United States, the boycott of products and sanctions against South Africa, which were credited in aiding the end of political apartheid in the 1990s, the Chilean Grape Boycott, and divestment from oil companies operating in the former Sudan (prior to the secession of and creation of the independent Republic of South Sudan).

Challenges of Current Policy

Our current policy does not explicitly support the BDS Movement. Rather, it seeks a position of positive, constructive economic measures such as educating our members on products that support the occupation and calling for effective labelling of such products while promoting products made by Palestinians. While not under the official BDS heading, the policy also encourages divestment from companies that benefit from the occupation of Palestine – particularly in terms of our pension plan and other investments. Overall, the policy puts pressure mainly on corporations rather than on the government of Israel itself, which is the main target of the BDS movement.

Our current policy attempts this third option because there are significant challenges in outright support and affirmation of the BDS movement. First, there has been discussion as to whether or not it is effective in its goals. However, determining efficacy of a movement is beyond the scope of our task. Secondly, some have argued that support of the BDS movement is inherently antisemitic in nature, claiming that it unfairly singles out Israel when many other nations could be equally criticized. In 2016, the Canadian Parliament voted by a wide margin to condemn the movement and any attempts by organizations to support it. The United States has adopted similar measures. While the Canadian parliamentary motion is non-binding, this creates a chilling effect and makes outright support of the BDS movement risky for the denomination. Last, we recognize that some groups that support BDS and advocate for it may have other beliefs and activities that we do not support or with which we do not agree. We have, at times, not wanted to align ourselves with these groups even if we wished to support some aspects of the BDS movement.

These, then, are the challenges for supporting BDS. On the other hand, our lack of support in a static and aging policy has meant at times letting down our partners whom we cannot publicly support in their right to the use of BDS as a non-violent resistance strategy. General Council Office staff are restricted in terms of the responses they can offer and actions they can take in their role representing the denomination.

Applying the Principles

Principles b and c. Partnership and Costly Solidarity - We are committed to listening to, supporting, and trusting our partners without paternalistic (colonial) judgment. In the 2017 Open Letter to the World Council of Churches³, Palestinian partners asked that we defend their right and duty to “resist the occupation creatively and non-violently.” With respect to BDS, we can support their participation in this movement without necessarily expecting The United Church of Canada to embrace it as a whole.

Principle i. Self-Determination – As a related principle, we can support the choice of partners and individuals to resist non-violently in the way they feel is most effective.

Principle d. Speaking Truthfully – This principle challenges us to honestly name what we believe and what we value. Our current policy adopts the strategies of BDS without expressly using that label. It would be more honest to simply name that we support the tools of the BDS movement. Further, this principle calls us to continue supporting non-violent means of resistance utilized by ourselves or partners, naming the complexity of the situation: we can at times find ourselves similarly aligned with other groups on one issue while not fully aligning ourselves all the time with that group. Further, speaking truthfully, we can name the very real antisemitism in our country and around the world while at the same time holding the view of the Jerusalem Declaration on Antisemitism that: “Boycott, divestment, and sanctions are commonplace, non-violent forms of political protest against states. In the Israeli case they are not, in and of themselves, antisemitic”.⁴

B) On Apartheid

On the use of the term apartheid, when viewed through the lens of the principles, The United Church of Canada could affirm the accuracy and usefulness of the term *apartheid* to describe laws and legal procedures of the State of Israel that enshrine one people in a privileged legal position at the expense of another. At the same time, we would urge great caution about using this term as a descriptor of Israel itself when its usage is calculated to provoke anti-Israeli or anti-Jewish sentiment.

The task group recognizes that a nuanced approach such as this will be criticized by some as fence-sitting, and would give significant responsibility to the General Secretary for its interpretation. In the highly-charged and quickly evolving context of Israel and Palestine, we would consider this appropriate.

³ “Open letter From The National Coalition of Christian Organizations in Palestine to the World Council of Churches and the ecumenical movement”, <https://www.kairopalestine.ps/index.php/resources/statements/nccop-open-letter-to-the-wcc>, accessed on September 10, 2021.

⁴ Jerusalem Declaration on Antisemitism, <https://jerusalemdeclaration.org/>, C, 14., accessed on September 10, 2021

The current policy of the United Church on apartheid is primarily sourced from the Report of the Working Group on Israel/Palestine Policy received and adopted by the General Council 41 in August 2012. The 2012 report includes a biblical and theological vision, a historical overview, and an analysis and policy direction that are focused on five areas of concern that would lead to a separate Palestinian state and four conditions that uphold the safety and security of Israel as a homeland for the Jewish people. One of these latter four conditions provides the current discourse on apartheid for the United Church.

This particular section of the 2012 report provides the controversial points for arguing what could constitute Israeli actions against Palestinians as apartheid and why Israel rejects that it is practicing apartheid. In the end, the 2012 report recommends a policy that seeks to convey an intent to be non-offensive towards Israeli policies that, in practice, are expressing characteristics of apartheid. Hence, our current policy is to avoid using the term apartheid:

“The working group believes that the charge of apartheid as 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.”

Challenges regarding current policy

- a) While the intent of the policy errs on the side of a potential possibility for a successful peace negotiation, the most glaring challenge is the optics of complicity with Israel's occupation of Palestinian land.
- b) It has neglected to represent the primal voice of Palestinians by avoiding the term apartheid.
- c) Because of its policy on avoiding the term apartheid, the United Church exposes itself as bringing a "half-hearted" commitment to advocate for justice and peace as called upon by Palestinian partners.

Applying the principles

- a) In relation to Principles a, c, d, e, f, g, i, k, l, m, the following items are lacking articulation in the light of the church's current policy on apartheid:
 - i. Can our policy better communicate our commitment to becoming an anti-racist denomination in relation to this policy?
 - ii. Our current policy on apartheid is betraying the church's theological articulation of liberation as a condition for its mission engagements.
 - iii. Even if it were possible to name the characteristics of apartheid in Israel's policies and practices toward Palestinians while avoiding using the term apartheid, how effective is our prophetic witness when there is failure to name what we normally would call "evil"?

- iv. This current policy on apartheid is preventing us from: speaking truth; of living into our commitment to decolonize our role as advocates and companions, and supporting processes and systems that lift up those who are marginalized and oppressed.
 - v. How can we articulate a theology of liberation when we avoid using an oppressive language to name the evil that is practiced by a party we deem as a partner?
- b) In relation to Principles b, h, j, the current tone of seeking the path of non-violence is upheld in the current policy, although the language used in the 2012 policy recommendation not to use the term apartheid flies in the face of the denomination's stated commitment to uphold international law and speak truth to power.
 - c) In relation to Principle m, the team recognizes the power of the word apartheid to block dialogue, and to vilify.
 - d) Using the term apartheid could cost the church financially, should more pro-occupation or pro-Israel supporters withdraw funding. However, it would strengthen our commitment to be advocates of justice and peace in support of the marginalized, oppressed and victims of colonialism.

C. On the question of Israel as a Jewish state

On the question of Israel as a Jewish state, when viewed through the lens of the principles, The United Church of Canada could continue to affirm the right of Israel to exist within internationally-recognized borders according to international law but would no longer refer to the right of Israel to exist *as a Jewish state*.

The United Church of Canada has never explicitly stated that it recognizes Israel's right to exist as a Jewish state, but it has implied it -- and that has been the interpretation of the church's policy. In past iterations of our policy, we have called on Palestinian partners to recognize Israel's right to exist as a Jewish state. This language got added to our policy at the last-minute during debate on the floor of a General Council meeting and not as a matter of deep reflection on the question. However, since that time there has been much focused reflection on this question. That reflection and the voices of Palestinian partners in the region led us to withdraw our policy of requiring *Palestinians* to recognize Israel's right to exist as a Jewish state and prompted us to express our regret for ever having demanded this of them. The 2012 report from the task group on Israel/Palestine indicated that the United Church *could* affirm Israel's right to exist as a Jewish state providing that this is qualified by the criteria that the Jewish character of Israel must still ensure democratic freedom for all its citizens and respect for the rights of all its citizens regardless of faith or ethnicity. There was not a specific recommendation in the 2012 report that proposed that the United Church officially recognize Israel as a Jewish state; however, the entire report, along with its recommendations was approved by the 2012 General Council 41.

Thus, to date, our recognition of Israel as a “Jewish” state has been implied in our past policy statements rather than stated explicitly, and it is referred to in our advocacy as the official interpretation of existing policy. Furthermore, our understanding of what we are affirming when we say that Israel has the right to exist as a Jewish state is specifically qualified as a state which extends equal rights and dignity to all its citizens regardless of religion or ethnicity.

Israel itself has never defined what it means by “Jewish” as it applies to the Jewish character of the state of Israel; however, the recent Nation-State law makes clear that it does not include full and equal citizenship and rights for non-Jewish Israelis.

Challenges of/concerns regarding current policy

What the United Church of Canada affirms when it speaks of Israel as a Jewish state, and what Israel means when it describes itself as a Jewish state are two different things. Given that it is Israel, and not The United Church of Canada, which actually defines the character of Israel, our affirmation of Israel as a Jewish state has the practical impact of lending support to something we explicitly do not support. Furthermore, some Jewish and all Palestinian partners of The United Church of Canada have expressed serious concern regarding the implications this has for Palestinian Israelis and the unfolding character of the nascent state of Palestine. Finally, our affirmation of Israel as a “Jewish” state is predicated on the assumption of a two-state solution to the Israeli-Palestinian situation, in which there would also be an “Arab” state of Palestine. Partners and political pundits alike are now saying that a two-state solution is likely no longer viable.

Applying the Principles

Many of the proposed principles do not clearly direct us to take one stand or another on the question of recognizing Israel as a Jewish state. We have listened to Jewish and Palestinian partners in Israel, Palestine and Canada on this question. We have heard very real and compelling concerns that would argue both the importance of affirming Israel as a Jewish state and the importance of not doing so. We are keenly aware of the ongoing impact of antisemitism and the need for a safe homeland for Jews in this world. We are also aware of the profound power imbalance in the region, leaving Palestinians vulnerable to the excesses of an unfriendly Israeli government and the unchecked encroachment of Israeli settlements and unchecked settler violence. Globally, there can be no doubt that Jews are an oppressed people; within the context of Israel-Palestine, the Palestinians suffer occupation, oppression and marginalization.

The two principles which may help to shed a clarifying light on this question are:

Principle i. We are a church that promotes respect for and commitment to upholding international law; including political, civil, cultural, economic and social rights (including the right to self-determination); and

Principle m. we are a church that is accountable for how our words and actions can be misused to fuel polarizing controversies, and historical and existing injustices.

Our commitment to respecting the right to self-determination for both Israelis and Palestinians reminds us that it is not up to us to prescribe or define the character of Israel or of Palestine or of whatever political entity emerges in the region. We can (and must) promote and uphold policies and practices that ensure that both peoples have the means and freedom to live secure, dignified lives in which their rights and humanity are honoured and respected. It is not for us to impose a two-state solution or any other solution. Our responsibility is to support and encourage Israelis and Palestinians in finding their own solutions that will result in peace and justice for all peoples in the region; and to name and resist injustice and oppression whenever we see it, wherever it occurs.

Accepting accountability for how our words can be co-opted and misused to fuel existing injustices means taking seriously the risk posed by affirming Israel as a Jewish state, *in the current context*. Using the language of “Jewish state” vis á vis Israel will likely be interpreted as implying support for Israel’s Nation State Law – regardless of what we explicitly intend when we use this language. We have also been warned that it will inevitably lend support to those who wish to establish an “Islamic” state of Palestine. It is not our nuanced qualifications of these terms that have the biggest impact, but the ways they are interpreted and the responses they provoke.

As a Canadian church, we know first-hand the profound injustice and oppression that can result when a country seeks to establish itself as a state shaped by a particular religious or cultural identity. The church’s participation in establishing Canada as a de facto “Christian” state that denied Indigenous people in Canada the right to their own culture and spirituality has become a source of shame for us. We have come to recognize that this goal and practice resulted in “the image of the Creator in us (becoming) twisted, blurred, and we are not what we are meant by God to be.” [1986 Apology to Indigenous Peoples] Our learning from our own history and our commitment to the spiritual and political well-being of both our Palestinian and Israeli relatives should make us extremely reluctant to support the establishment of any state rooted in one religious, ethnic or cultural identity.

The affirmation of Israel as a Jewish state is rooted in a former time, when a two-state solution was assumed as the necessary and inevitable outcome to the conflict, and when Israel had not clearly defined what it meant by its identity as a Jewish state. Neither of these conditions still exist. In this context, and when viewed through the lens of the principles, it no longer makes sense for The United Church to affirm Israel as a Jewish state. Nor does it make sense for us to presume that we have the authority to dictate to Israelis or Palestinians what the religious, cultural, or even political character of their state(s) should be. As a church, our responsibility is to stand up for justice and name and resist oppression in all its forms.

6. Recommendations of the Just Peace Task Group

That the Executive of the General Council

- i. adopts a principles-based approach to its justice work going forward; and
- ii. adopt the principles outlined in Point 4 as lenses for discerning concrete actions in response to proposals and requests from partners and church bodies.

Appendix A

Methodology of the work of the GCE Just Peace Task Group

The steps below outline how the task group addressed its task, and with whom it consulted.

- A. Review and clarification of the task mandated by the GCE
- B. Review of existing policy, partnerships, and advocacy praxis
- C. Identifying key stakeholders; identifying in-person/online consultations; inviting written submissions.

NOTE: The Task Group hoped for specific consultations with Indigenous Ministries and Justice colleagues and with the Equity and Anti-racism Officer. Due to the impacts of Covid, the 2019 staffing cuts, and the importance and priority of responding to the revelation of unidentified mass graves of Indigenous children on residential school properties, these consultations were put on hold. Colleagues responsible for these important areas of work have faced enormous demands on their limited time, and priorities in the anti-racism work and the reconciliation and healing work have rightly taken precedence.

The task group engaged in numerous consultations in-person and online, and received written submissions (both by request and voluntarily). The letter from the task group chair requesting in-person/online consultation and written submissions, which included an attached summary of the church's existing policy, stated:

"Dear [name]:

The Task Group is asking for your input on the general question of the appropriateness of the existing United Church policies, of which a summary is attached, given the current reality on the ground in the region. In addition, we would be grateful to have your reflections on three specific issues, which have been highlighted by our partners. From your perspective, what would be the potential impact of:

- 1. the United Church continuing or discontinuing to express support for Israel's right to exist "as a Jewish state"?*
- 2. using of the word 'apartheid' to talk about Israel's actions in the Occupied Territories?*
- 3. altering our position on BDS, either by expressing support for the BDS movement or by pulling back from limited economic action against settlement products?*

Thank you for sharing your ideas and recommendations with us."

In person or online consultations	Written submissions to the Task Group
United Network for a Just Peace in Palestine and Israel – Annual Gathering	Rev. Andrew Love
Ecumenical gathering (CCC, ACC, PCC, CFSC, KAIROS Canada, United Church of Christ, ELCIC), Dr. Gail Allan	Rev. Barb White
Rabbis Michael Dolgin & Elyse Goldstein	Canadian Friends of Sabeel
Omar Haramy, Director, Sabeel Ecumenical Liberation Theology Centre	Canadians for a Just Peace in the Middle East
Rifat Kassis, Coordinator, Kairos Palestine	Just Peace Advocates
Hagai El Ad (Ex. Dir) & Danya Cohen (International & Ecumenical Officer), B'Tselem: The Israeli Information Center for Human Rights in the Occupied Territories	Independent Jewish Voices Canada
Rev. Dr. Bruce Gregersen	Rabbi Michael Dolgin
Robert Massoud (Founder, Zatoun) & Rula Odeh (Chair, Canadian Friends of Sabeel)	Rabbi Elyse Goldstein
Rev. Michael Blair, General Secretary	Rev. Marianna Harris
General Council staff in the following roles (Team Lead for Global Partnership, Public Witness & Advocacy; Social Analysis and Congregational Engagement; Ecumenical & Interchurch-Interfaith)	Rev. Vicki Obedkoff
	Rev. Curtis Marwood

In person or online consultations	Written submissions to the Task Group
	Jean Macdonald
	Senator Peter Harder
	Nyla Matuk
	Debbie Hubbard, Ecumenical Accompanier
	United Network for a Just Peace in Palestine and Israel
	Robert Massoud, Director, Zatoun

- D. Review and debrief of consultations; reflection.
- E. Writing of the report

Appendix B BACKGROUND

In the region

The reality of the ongoing human rights violations in Palestine and Israel, and the changing reality in society in which The United Church of Canada engages in advocacy, calls for The United Church to re-examine its policies on Palestine and Israel.

The list of human rights violations is increasing and getting worse. Efforts for a negotiated solution to the decades-long occupation have broken down completely. In 2021, Israel openly seeks annexation; it continues to rapidly expand its illegal settlements on Palestinian territory, including in East Jerusalem, where hundreds of Palestinians in Sheikh Jarrah and Silwan neighbourhoods currently face forcible expulsion from their homes.

The blockade of Gaza has deepened, exacerbating [a desperate humanitarian crisis made worse by the Covid pandemic](#). “Facts on the ground” show that a two-state solution is an unlikely possibility, with the growing number of illegal Israeli settlers in occupied Palestinian territory and de-facto and de-jure annexation. Home demolitions and destruction of Palestinian villages forcibly transfer Palestinians off their land every year. The recent governing coalitions in Israel have passed laws legalizing the seizure of private Palestinian land for settlement construction (illegal under international law). Several Israeli politicians have openly declared Israel’s intent of never evacuating the illegal settlements, thus rendering a sovereign, viable, contiguous Palestinian state impossible. The hard shift to the right in voting outcomes in Israel over multiple elections in the past 4 years supports politicians publicly opposed to either the implementation of a two-state solution (viable or not), or the very existence of a Palestinian state encompassing East Jerusalem, the West Bank and Gaza. The majority of Jewish Israelis support Israel’s claim to all of Jerusalem as its “eternal capital.”

Democratic space for civil society has been shrinking for some time in Israel and Palestine and globally, and the vilification and attacks on human rights organizations are on the rise. On 22 October 2021, the Israeli Minister of Defence included Defence for

BORN UNEQUAL EAST JERUSALEM

NOA JEWISH CITIZEN OF ISRAEL BORN IN EAST JERUSALEM (SETTLEMENT)	ZEID PALESTINIAN RESIDENT BORN IN EAST JERUSALEM
IS MY LEGAL STATUS IN JERUSALEM SECURE? YES You're an Israeli citizen and it's government policy to maintain a Jewish majority in the city	NO Just like foreigners who move to Israel, you're a resident, a conditional and revocable status. You can apply for citizenship, but you're unlikely to get it
CAN I MOVE ABROAD FOR A FEW YEARS AND COME BACK? YES Whenever you decide to move back to Jerusalem, you'll be welcome	MAYBE NOT You can leave, but if you stay away too long, your residency could be revoked, leaving you without legal status
WILL I KEEP MY LEGAL STATUS IF I MOVE TO OTHER PARTS OF THE WEST BANK? YES You can move to an Israeli settlement in the West Bank. Your legal status is secure, regardless of where you live	MAYBE NOT If Israeli authorities determine that you no longer "maintain a connection" to Jerusalem, you might lose your residency
CAN I EASILY MOVE TO A NEW HOME IN EAST JERUSALEM? YES You should have no problem moving into a settlement	MAYBE NOT It's virtually impossible to obtain a building permit, and built-up Palestinian areas are already overcrowded



Children International Palestine (a Mission & Service partner) to a list of five other human rights groups it declared as “terrorist organizations”. This is a significant escalation after Israeli military forces [raided the Ramallah office of Defence for Children International Palestine](#) on 29 July 2021, confiscating computers and confidential client files -- all of whom are children. Peaceful protest and civil disobedience are met with brutal state repression, including through the use of tear gas and live ammunition on unarmed protestors.

Internationally, governments have grown more repressive in their efforts to suppress creative global non-violent efforts pushing for an end to the occupation, and some of these repressive efforts form part of a global anti-boycott, anti-divestment and sanctions (“BDS”) regime that includes passing stifling legislation. Academics, journalists and activists experience negative consequences for speaking out about the Palestinian struggle⁵. Social media regularly de-platform individuals and groups that advocate for Palestinian human rights.

The global Covid pandemic made manifest not only the vast socioeconomic inequalities between Jewish Israeli communities and Palestinian Israeli communities inside internationally-recognized Israeli borders, but also between Israel and the occupied Palestinian territories. The Israeli government has denied its responsibility as the occupying power to ensure Palestinians in occupied Palestinian territories (oPt) have access to Covid vaccines, only vaccinating Palestinians working inside '48 Israel and in settlements well after all Jewish settlers in the same territories had already been vaccinated.

⁵ “State Department’s attack on the BDS movement violates freedom of expression and endangers human rights protection”, Amnesty International, (November 19, 2020), <https://www.amnesty.org/en/latest/news/2020/11/state-departments-attack-on-the-bds-movement-violates-freedom-of-expression-and-endangers-human-rights-protection/>, accessed November 30, 2020. And “The Real Cancel Culture: Pro-Israel Blacklists”, The Intercept (October 4, 2020), <https://theintercept.com/2020/10/04/israel-palestine-blacklists-canary-mission/>, accessed on October 5, 2020

Israel's incremental annexation and colonization of the West Bank. Studies and reports by legal scholars show that Israel applies a dual legal system in the occupied Palestinian territories (oPt): civil law for settlers; military law for Palestinians. According to Israeli human rights group [Yesh Din](#): "a marked shift occurred during the 20th Knesset (March 31, 2015 – April 28, 2019) with the transition from de-facto annexation to de-jure annexation. Sixty bills pertaining to annexation were proposed during the 20th Knesset. Of these sixty bills, eight were approved and became law in Israel. The significance of this data is that the Israeli Knesset regards itself as the legislative authority in the West Bank and the sovereign there."

Israel's 2018 Nation-State Law states:

- "A. The land of Israel is the historical homeland of the Jewish people, in which the State of Israel was established.
- B. The State of Israel is the national home of the Jewish people, in which it fulfills its natural, cultural, religious and historical right to self-determination.
- C. The right to exercise national self-determination in the State of Israel is unique to the Jewish people."

2018 statistics show that approximately 25% of the population of Israel is non-Jewish. About 20% - approximately 1.8 million people -- are Palestinian Israelis, including Druze⁶.

Palestinian Christian Calls for costly solidarity to churches and the international community

It is in this deteriorating context that, in June 2017, eight years after launching the Kairos Palestine document *A Moment of Truth*, Palestinian Christian partners issued their powerful [Open Letter to the World Council of Churches and the ecumenical movement](#), speaking together through The National Coalition of Christian Organizations in Palestine (NCCOP). The 2017 Open Letter describes the context:

"Despite all the promises, endless summits, UN resolutions, religious and lay leader's callings – Palestinians are still yearning for their freedom and independence, and seeking justice and equality. Humanly speaking – we have reached the "moment of impossible", as Emeritus Latin Patriarch Michel Sabbah has said ... "As we stand in front of this "impossible moment", it gives us no pleasure to say that "we told you so" eight years ago when we declared the moment as a Kairos moment! We stand facing the impossible, but we have not lost hope, since as followers of the Risen One, we are the people of hope. However, we need you and we need you now more than ever. We need

BORN UNEQUAL NEGEV

NIRIT JEWISH CITIZEN OF ISRAEL BORN IN AN ISRAELI TOWN	WISSAM PALESTINIAN CITIZEN OF ISRAEL BORN IN UNRECOGNIZED BEDOUIN VILLAGE
IS MY COMMUNITY RECOGNIZED BY THE GOVERNMENT? YES As part of a policy to "Judaize the Negev", Israel actively nurtures the development of Jewish communities in the Negev	NO Israel does not recognize 35 Palestinian Bedouin communities, making it impossible for 90,000 or so residents to live lawfully in their homes
CAN I ACCESS BASIC SERVICES? YES Likely without any obstacles, thanks to billions of shekels Israel has invested in major infrastructure projects to attract Jewish residents to the area	NO Israel refuses to connect your unrecognized village to national electricity or water grids or provide basic services like paved roads, sewage systems and schools
CAN I STAY HERE FOR YEARS TO COME? YES Israel continues to make more and more land available to Jewish communities to encourage you to stay and raise your family here	MAYBE NOT Israel seeks to concentrate Bedouins in government-planned townships. As a resident of an unrecognized village, you live under constant threat of home demolition
IF I WANT TO MOVE, DO I HAVE A LOT OF OPTIONS? YES You can move to a big city or one of hundreds of other small Jewish towns across Israel	MAYBE NOT Among other challenges, hundreds of small Jewish towns have admissions committees that have power by law to exclude Palestinian citizens from living there

VISUALIZING PALESTINE
The Israeli High Court of Justice vs. Bedouin Townships
www.thecourt.org
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⁶ Druze are a minority Muslim sect who can be found in Syria, Lebanon, Israel, and Jordan.

your costly solidarity. We need brave women and men who are willing to stand in the forefront. This is no time for shallow diplomacy.”

The 2017 letter issued nine calls to the global ecumenical community, including that the world “recognize Israel as an apartheid state in terms of international law,” and “speak in support of economic measures” such as the boycott, divestment and sanctions (BDS) movement.

In July 2020, at a time of global crisis, Palestinian Christians issued a [Cry for Hope](#), stating, “we realize that it is incumbent upon us as followers of Jesus to take decisive action. The very being of the church, the integrity of the Christian faith, and the credibility of the Gospel is at stake. We declare that support for the oppression of the Palestinian people, whether passive or active, through silence, word or deed, is a sin.” Global Kairos for Justice, a global community of human rights advocates, signed on to Cry for Hope, pledging to their commitment to decisive action “out of concern for the future of both peoples” and encouraging Christians and partnering with others to “stand against the theology of Empire, a global order of domination manifesting in racial, economic, cultural and ecological oppression that threatens humanity and all of creation.”

Current United Church of Canada policy

The United Church of Canada’s 2012 policy is the most current, comprehensive policy on Palestine Israel. The limitations set by this policy means the church is out of sync with the calls from Christian Palestinian partners, and with the situation on the ground as recently reported in detail by two renowned human rights organizations – B’Tselem in its January 2021 Report entitled [This is Apartheid: A Regime of Jewish Supremacy from the Jordan River to the Mediterranean Sea](#) (B’Tselem is a Mission & Service partner), and Human Rights Watch in its April 27, 2021 report⁷.

The United Church’s 2012 policy on Palestine and Israel re-affirms Israel’s right to exist as a Jewish state, qualifying it as follows:

“...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.”⁸

⁷ “A Threshold Crossed: Israeli Authorities and the Crimes of Apartheid and Persecution”, Human Rights Watch (April 27, 2021), <https://www.hrw.org/report/2021/04/27/threshold-crossed/israeli-authorities-and-crimes-apartheid-and-persecution> , accessed on April 27, 2021

⁸ “Report of the Working Group on Israel/Palestine”, Prepared for the 41st General Council, August 2012, pg 15. Excluded in this qualification are civil, cultural and economic rights - <https://www.ohchr.org/EN/Issues/ESCR/Pages/AreESCRfundamentallydifferentfromcivilandpoliticalrights.aspx>

This qualification does not mention important civil, national, cultural and economic rights, which are key components to equality of citizenship under the law in authentic democracies. Amplifying the voices of partners through our advocacy and solidarity requires the ability to name the issues clearly and truthfully. Under the terms of the current policy, the United Church's current position supports elevating the rights of a particular ethnic group over other ethnicities, all of whom are citizens of the same state.

Support for refugee rights. The United Church of Canada's 2012 policy (5.2 pgs 16-17) expresses concern for Israel's demographic reality with regard to the issue of the Right of Return (a universal right to which all refugees are entitled). This position constrains the church's advocacy on Palestinian refugee rights in accordance with International Law and the Declaration of Human Rights. Israel's *Law of Return* grants automatic rights to immigration exclusively to anyone in the Jewish diaspora, whether or not they or previous generations of their family were born in Israel or Palestine. This does not apply equally to Palestinian Israeli citizens (Palestinians from inside the '48, and those now in the diaspora, or their families who were born in Palestine or Israel. The 2018 Nation-State Law, coupled with the Law of Return directly prohibit and deny Palestinian refugees from exercising the Right of Return to which all refugees are entitled, including Jewish refugees from Arab countries.

Apartheid. Palestinian and Israeli partners have called on the United Church to name as 'apartheid' discriminatory actions on the basis of race, ethnicity, nationality and religion, as described under the [Rome Statute on the Suppression and Punishment of the Crime of Apartheid](#) under international law, and to respond accordingly. The United Church of Canada's 2012 policy precludes the possibility of acknowledging such discriminatory policies as are or might be enacted by the State of Israel (5.2 pgs 17-19).

APPENDIX C - GLOSSARY OF TERMS

anti-racism. is a process that aims to identify, challenge and change the values, structures and behaviours that perpetuate racism. Among other things, it:

- o Provides us with skills and knowledge to examine racism critically;
- o Provides a mechanism for the enhancement of a positive image of self and others;
- o Integrates diverse racial perspectives into structures, policies, and practices; and
- o Allows people to reconcile with one another.

Anti-racism is the responsibility of all people.

antisemitism. Literally meaning “opposed to Semites (i.e. Jews, Arabs and other Semitic peoples); usually used to mean hatred of Jews. The term was invented in Germany in the late 19th Century to give Jew-hatred a scientific ring in the context of a pseudoscientific study of the human races.

apartheid. The Apartheid Convention defines the crime against humanity of apartheid as “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.” The Rome Statute of the International Criminal Court adopts a similar definition: “inhumane acts... committed in the context of an institutionalized regime of systematic oppression and domination by one racial group over any other racial group or groups and committed with the intention of maintaining that regime.” The Rome Statute does not further define what constitutes an “institutionalized regime.”

The crime of apartheid under the Apartheid Convention and Rome Statute consists of three primary elements: an intent to maintain a system of domination by one racial group over another; systematic oppression by one racial group over another; and one or more *inhumane acts*, as defined, carried out on a widespread or systematic basis pursuant to those policies. Among the inhumane acts identified in either the Convention or the Rome Statute are “forcible transfer,” “expropriation of landed property,” “creation of separate reserves and ghettos,” and denial of the “the right to leave and to return to their country, [and] the right to a nationality.”

The International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), which has 182 states parties, including Israel and Palestine, declares that “States Parties particularly condemn racial segregation and apartheid and undertake to prevent, prohibit and eradicate all practices of this nature in territories under their jurisdiction.”

boycott. to refuse to buy a product or take part in an activity as a way of expressing strong disapproval. With regard to the occupation, boycott campaigns include withdrawing support from Israeli occupation, complicit Israeli sporting, cultural and academic institutions, and from all Israeli and international companies engaged in violations of Palestinian human rights.

colonialism: the system and policy of the subjugation and subjection of peoples, societies, and experiences for the purposes of accumulating knowledge, wealth, and power that serve the coloniser, directly or indirectly.

colonization. the action or process of settling among and establishing control over the Indigenous people of an area in order to exploit local resources for the benefit of the coloniser.

decolonization. the actions that entail a political and normative ethic and practice of resistance and intentional undoing – unlearning and dismantling colonial (and often unjust) practices, assumptions, and institutions – as well as persistent positive action to reclaim indigenous practices, and create and build alternative spaces and ways of knowing.

de-jure. 1: by right; of right 2: based on laws or actions of the state.

By contrast, **de-facto** refers to a state of affairs that is true in fact, but not officially sanctioned by law.

divestment. is the opposite of investment - it means selling unwanted investments from one's financial portfolio. It is a term often used when describing an investor's action to sell a stock they find unethical or morally ambiguous. Divestment campaigns urge banks, local councils, churches, pension funds and universities to withdraw investments from the State of Israel and all Israeli and international companies that sustain the Israeli occupation of Palestinian territories.

international law. the body of rules governing relations between States. International law is contained in agreements between States – treaties or conventions –, in customary rules, which consist of State practise considered by them as legally binding, and in general principles.

international humanitarian law. a set of rules which seek, for humanitarian reasons, to limit the effects of armed conflict. It protects persons who are not or are no longer participating in the hostilities and restricts the means and methods of warfare. International humanitarian law is also known as the law of war or the law of armed conflict. International humanitarian law is part of international law.

Islamophobia. irrational fear of, aversion to, or discrimination against Islam or people who practice Islam

Israel's Law of Return "1. Every Jew has the right to come to this country as an oleh**.2. (a) Aliyah shall be by oleh's visa.(b) An oleh's visa shall be granted to every Jew who has expressed his desire to settle in Israel, unless the Minister of Immigration is satisfied that the applicant

(1) is engaged in an activity directed against the Jewish people; or

(2) is likely to endanger public health or the security of the State.

3. (a) A Jew who has come to Israel and subsequent to his arrival has expressed his desire to settle in Israel may, while still in Israel, receive an oleh's certificate.

(b) The restrictions specified in section 2(b) shall apply also to the grant of an oleh's certificate, but a person shall not be regarded as endangering public health on account of an illness contracted after his arrival in Israel.

4. Every Jew who has immigrated into this country before the coming into force of this Law, and every Jew who was born in this country, whether before or after the coming into force of this Law, shall be deemed to be a person who has come to this country as an oleh under this Law.

5. The Minister of Immigration is charged with the implementation of this Law and may make regulations as to any matter relating to such implementation and also as to the grant of oleh's visas and oleh's certificates to minors up to the age of 18 years."

* Aliyah means immigration of Jews, and **oleh (plural: olim) means a Jew immigrating into Israel.

occupation. Under International Humanitarian Law, there is occupation when a State exercises an unconsented-to effective control over a territory on which it has no sovereign title. Article 42 of The Hague Regulations of 1907 defines occupation as follows: "Territory is considered occupied when it is actually placed under the authority of the hostile army. The occupation extends only to the territory where such authority has been established and can be exercised." Under occupation law, the occupying power does not acquire sovereignty over the occupied territory and is required to respect the existing laws and institutions of the occupied territory as far as possible. It is presumed that occupation will be temporary and that the occupying power shall preserve the status quo ante in the occupied territory.

racism. is a racial prejudice manifested when one group excludes, isolates, oppresses, manipulates or exploits another group. It can be overt or covert, individual or systemic, intentional or unintentional. The measure of racism is the effect on the oppressed, not the intent of the oppressor. Racism confers privilege on and sustains the dominant group and perpetuates the injustice. Racism exists everywhere in our society, in all our institutions and in our church.

systemic or institutional racism. The tendency for a system/institution to reproduce racial hierarchies by means of its very structure; racism evident – that is, apparent in distributions of power if not in specific acts of racial discrimination – throughout an entire system or institution. It is the form of racism most invisible to a dominant group perhaps because most are intimately connected to the dominance. Systemic racism is most visible in its effects on members of oppressed groups, but is more dangerous in the privileges it secures to the dominant culture. Symptoms of systemic racism manifest themselves both in the objective conditions of life, such

as a lower quality of housing in non-white neighbourhoods and in more subjective or consciousness-centred symptoms such as internalised oppression. (Source: That All May Be One 1997A4571,

<https://unitedchurch.sharepoint.com/:b:/r/sites/UnitedChurchCommons/PublicDocuments/Shared-Publicly/>, accessed on September 17, 2021)

Right of Return. The right to return is most clearly enshrined in the 1966 International Covenant on Civil and Political Rights (ICCPR)(1) under its provisions on the right to freedom of movement (Article 12). Freedom of movement has two main components: an internal aspect, relating to freedom of movement within a country (Article 12 (1)); and an external aspect comprising freedom of movement between States. The latter includes the right to leave one's country (Article 12 (2)), and the right to enter one's "own country" (Article 12 (4)). Palestinian refugees' right to return to the homes from which they were displaced is well established in international law. The first source of support for Palestinian refugees' claims to a right of return is U.N. General Assembly Resolution 194 (III) Of December 1948, paragraph 11, in which the U.N. General Assembly,

“Resolves that the refugees wishing to return to their homes and live at peace with their neighbors 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;

Instructs the Conciliation Commission to facilitate the repatriation, resettlement and economic and social rehabilitation of the refugees and the payment of compensation...”

Since 1949, this resolution together with UN Security Council Res. 242 and 338 have been regularly reaffirmed by the U.N. General Assembly.

sanctions. International sanctions refer to the restriction or suspension of economic or commercial relations, or other areas such as transport and communications or diplomatic relations, with a particular State or groups of individuals and entities. The purpose of sanctions is, as part of other foreign policy measures, to influence the policies or actions of that State or group when such policies or actions are considered a threat to international peace and security. These actions include the proliferation of weapons of mass destruction, participation in international terrorism, and perpetration of extensive human rights violations. Sanctions measures include export and import restrictions, financial sanctions and restrictions on admission. Sanctions campaigns with regard to Israel pressure governments to fulfil their legal obligations to end the Israeli occupation and not aid or assist its maintenance, by banning business with illegal Israeli settlements, ending military trade and free-trade agreements, as well as suspending Israel's membership in international forums such as UN bodies and associations such as FIFA.