

1 The Board of Directors recommends this resolution be sent to a Committee of the General
2 Synod.

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4 **CALLING ON THE UNITED CHURCH OF CHRIST TO RECOGNIZE**
5 **THE ACTIONS OF ISRAEL AGAINST THE PALESTINIANS AS APARTHEID**

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7 **Submitted by the Northern California Nevada Conference of the United Church of Christ**
8 **A Resolution of Witness**
9

10 **SUMMARY**

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12 Zionism's effort to create and maintain a Jewish state in Palestine, a land with very few Jews, led
13 to efforts to displace the indigenous population of Arab Palestinians and replace them with
14 Jewish immigrants to form a Jewish majority. Displacement of Palestinians was accomplished on
15 a massive scale in 1948, a period Israel calls its War of Independence and Palestinians refer to as
16 Al-Nakba ("the Catastrophe"). During that seminal event, more than half of the Arab population
17 of Palestine fled their homes, often at gunpoint, and were not allowed by Israel to come back.
18 Israel took their property without compensation and settled Jewish immigrants on its now-
19 expanded territory.

20
21 During the 1967 Arab-Israeli war, Israel conquered what remained of Palestine: the West Bank
22 (which included East Jerusalem) and the Gaza Strip. During Israel's prolonged and continuing
23 military occupation of these areas, it has subjected Palestinians to policies designed to make
24 them leave altogether or at least move to small disconnected enclaves so that Israel could
25 "Judaize" the land and maintain dominance. Palestinian dissent to the denial of their rights has
26 led to increasing violence. Israel has preferred to "manage" the violence while it continues its
27 colonization project rather than deal with the underlying issues of dispossession and oppression.

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29 This resolution calls on the Thirtieth General Synod to recognize the Israeli government's
30 domination system inside the West Bank and on the borders of the Gaza Strip as having met the
31 International Criminal Court's definition of the crime of apartheid and urges each setting of the
32 United Church of Christ to study, discern, and understand the seriousness of this matter.

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34 "Apartheid" was the term used by the Afrikaner-dominated government of South Africa to
35 describe its officially structured system of racial segregation from 1948 to 1994. Protests and
36 uprisings by Blacks during this period resulted in increased repression and violence from the
37 government, all of which produced widespread condemnation of apartheid by the international
38 community and also economic sanctions against South Africa and led to the abolition of
39 apartheid.

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41 The application of the term apartheid has been broadened to situations beyond South Africa. The
42 Rome Statute of the International Criminal Court, approved at a United Nations-convened
43 conference and ratified in 2002, included as part of the International Criminal Court's
44 jurisdiction "crimes against humanity." Among the crimes against humanity is the crime of
45 apartheid, that is, "inhumane acts . . . committed for the purpose of establishing and maintaining

46 domination by one racial group of persons over any other racial group of persons and
47 systematically oppressing them.”¹

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49 “Racial group” must be understood under the broad definition of racial discrimination provided
50 by the International Convention on the Elimination of All Forms of Racial Discrimination, which
51 went into effect in 1969. The Convention’s definition includes “any distinction, exclusion,
52 restriction or preference based on race, colour, descent, or national or ethnic origin which has the
53 purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal
54 footing, of human rights and fundamental freedoms in the political, economic, social, cultural or
55 any other field of public life.”²

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57 Practices constituting apartheid include:

- 58 • Denying basic human freedoms, including the freedom of movement, residence, opinion,
59 expression, and peaceful assembly and freedom from arbitrary arrest and imprisonment.
- 60 • Denying basic human rights, including the right to a nationality, to education, to leave and to
61 return to one’s country, to work, and to form recognized trade unions.
- 62 • The expropriation of landed property belonging to a racial group or groups or to members
63 thereof.
- 64 • Legislative measures designed to divide the population along racial lines by the creation of
65 separate reserves and ghettos for the members of a racial group or groups.³

66 67 **BIBLICAL, THEOLOGICAL AND ETHICAL RATIONALE**

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69 We lament our complicity in the hostilities and divisions of our world. In repentance we
70 recognize that Christ is our peace and remember that he has abolished the hostility among us. As
71 his followers we commit ourselves to a ministry of reconciliation and seek to break down walls
72 that divide and heal the injuries from our world’s hostilities and divisions.

73 74 **MUTUAL ACCOUNTABILITY**

75
76 The Thirtieth General Synod of the United Church of Christ will request the implementer of this
77 resolution to develop study materials on the Israeli occupation of the West Bank and Gaza for
78 use by all settings of the church.

79 80 **INSTITUTIONAL CAPACITY**

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82 The Thirtieth General Synod of the United Church of Christ will go on record as recognizing the
83 apartheid policies and practices of the Israeli government against the Palestinian people and
84 encouraging all settings of the church to explore the implications of this action.

85 86 **PROBABILITY OF INFLUENCING SOCIAL CHANGE**

87
88 The passage of this resolution by the Thirtieth General Synod would send a strong signal to
89 Israel and its supporters, including the U.S. government, that Israel’s oppression of Palestinians
90 must end. It will also lend support to UN efforts to end the occupation of the West Bank and
91 Gaza and the violence that arises from continuing the occupation.

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TEXT OF MOTION

WHEREAS, Israel has kept the West Bank under military occupation since it conquered the land in 1967, depriving Palestinians of their right to freedom and self-determination; and

WHEREAS, Israel decided to “Judaize” the territory it conquered in 1967 by establishing Jewish colonies (settlements), in violation of the Fourth Geneva Convention and the Hague Conventions;⁴ and

WHEREAS, Israel has expropriated large swaths of Palestinian land, including privately owned land, for building Jewish-Israeli settlements and the settlements’ associated infrastructure of utility lines, segregated roads, farmland, and industrial zones designed to make the settlements viable;⁵ and

WHEREAS, Israel routinely and sometimes retroactively issues building permits for Jewish-Israeli settlements in the West Bank (including East Jerusalem), while denying 90 percent of Palestinian applicants building permits, thus establishing preferential treatment for Israeli Jews and providing an excuse to demolish Palestinian homes that are built without permits, forcing the Palestinians to leave;⁶ and

WHEREAS, Israel connects Israeli settlers, but not Palestinians living nearby, to the electricity grid, while demolishing Palestinians’ solar panels because they were built without a permit, which cannot be obtained;⁷ and

WHEREAS, the allocation of water resources from the West Bank privileges Israelis over Palestinians, who, in addition, are not allowed to dig wells on their own land and whose cisterns may be destroyed because they were built without a permit, which cannot be obtained;⁸ and

WHEREAS, Palestinians have lost land and many sources of their livelihood because of Israeli zoning decisions, Israeli destruction of Palestinian fruit trees and olive trees for “security purposes” or because the settlers want the land, or because Israel wants land for military activities, buffer zones, checkpoints, fences, and the separation barrier known as the Wall, 85 percent of which is slated to be inside the West Bank when finished;⁹ and

WHEREAS, Palestinians living in the “seam zone,” that is, between the Wall and Israel’s de facto border established in 1949, cannot go into Israel and must obtain permits to live in their own houses or go to the other side of the Wall, leaving them trapped and in limbo;¹⁰ and

WHEREAS, the Wall succeeds in confiscating Palestinian agricultural fields, water, and other natural resources, contributes to unemployment, and cuts populations off from such essentials of life as employment, education, health care, worship, and family;¹¹ and

WHEREAS Palestinian farmers and business persons must go through time-consuming checkpoints to get their product to market, adding to the cost of production;¹² and

138 WHEREAS, the numerous Israeli settlements, barriers, and segregated bypass roads have
139 fragmented the West Bank and Palestinian society, destroying the social fabric and causing
140 extreme hardship to Palestinians trying to shop, get an education, obtain health care, worship at a
141 holy site, or attend a wedding or meeting;¹³

142
143 WHEREAS, when Palestinians in the Jordan Valley whose homes and sources of livelihood are
144 demolished by Israeli soldiers ask where they should go, Israeli soldiers have told them to go to
145 Area A, disconnected Palestinian urban areas where the Palestinians have internal governance
146 but no room for expansion because these urban areas are surrounded or nearly surrounded by
147 walls and settlements built by Israel;¹⁴ and

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149 WHEREAS, Palestinians are increasingly being ghettoized;¹⁵ and

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151 WHEREAS, Israeli Prime Minister Ariel Sharon said that Israel should follow the South African
152 Bantustan model;¹⁶ and

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154 WHEREAS, Israeli settlers in the West Bank live under Israeli law, which they help to form
155 through their elected representatives, while Palestinians in the West Bank live primarily under
156 military law, which is imposed on them;¹⁷ and

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158 WHEREAS, upon withdrawing its settlers from the Gaza Strip, Israel retained the “right” to
159 attack Gaza at any time and to control the Gaza Strip’s airspace, electromagnetic spectrum,
160 population registry (which issues IDs), territorial waters, and, in collaboration with Egypt, the
161 movement of people and goods through Gaza’s borders, thus maintaining its occupation of Gaza,
162 which became a Bantustan;¹⁸ and

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164 WHEREAS, three-fourths to four-fifths of the residents of Gaza are refugees whose families
165 were pushed out of Israel during Israel’s War of Independence and not allowed by Israel to
166 return, thus depriving them of the right to leave their country and *to return to it*;¹⁹ and

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168 WHEREAS, more than half of the Arab population of British Mandate Palestine fled or were
169 forced to flee their homes during Israel’s War of Independence and not allowed by Israel to
170 return to their homes after the war;²⁰ and

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172 WHEREAS, Israel expropriated the Palestinian refugees’ property without offering the refugees
173 the choice of returning to their homes or receiving compensation as required by UN General
174 Assembly Resolution 194;²¹ and

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176 WHEREAS, Israel has never dealt with the fundamental injustice of creating and maintaining a
177 Jewish-majority state on ever-expanding territory through immigration, conquest, and the
178 displacement of the indigenous population and the expropriation of their land and property; and

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180 WHEREAS, Israel has preferred to continue building settlements and to “manage” the
181 Palestinians through control and military force rather than negotiate a just peace;²² and

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183 WHEREAS, Israel has kept the people of Gaza under siege since 2007, depriving them of the
184 ability to trade and earn a living, has severely restricted the ability of people to enter or leave
185 Gaza, leaving people trapped, has turned one-third of the arable land of Gaza into a buffer zone,
186 further preventing Palestinians from making a living;²³ and
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188 WHEREAS, Israel has responded to occasional, imprecise rocket fire from Gaza with major
189 military operations attacking Gaza's power plant, sewage disposal system, and water sources as
190 well as hospitals, schools, homes, mosques, ambulances, businesses and thousands of civilians,
191 including children;²⁴ and
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193 WHEREAS, Palestinian efforts to resist the occupation of the West Bank, including East
194 Jerusalem, are met with military force, whether the resistance is violent or nonviolent;²⁵ and
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196 WHEREAS, Israel has kept thousands of Palestinians, including children, legislators, and human
197 rights activists under lock and key, often and repeatedly with no charges made against them;²⁶
198 and
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200 WHEREAS, Israel frequently tortures Palestinians in custody, including children;²⁷ and
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202 WHEREAS, Israel's effort to force the Palestinians into submission to Israel's designs for the
203 land has resulted in the denial of the Palestinians' basic human rights; and
204

205 WHEREAS, the Rome Statute of the International Criminal Court defines the "crime of
206 apartheid" as "inhumane acts . . . committed in the context of an institutionalized regime of
207 systematic oppression and domination by one racial group over any other racial group or groups
208 and committed with the intention of maintaining that regime";²⁸
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210 THEREFORE BE IT RESOLVED, that the Thirtieth General Synod of the United Church of
211 Christ recognizes the Israeli government's domination system inside the West Bank and on the
212 borders of the Gaza Strip as having met the International Criminal Court's definition of the crime
213 of apartheid; and
214

215 BE IT FURTHER RESOLVED, that the Thirtieth General Synod of the United Church of Christ
216 urges each setting of the Church to study, discern, and understand the seriousness of this matter.
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218 **FUNDING**

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220 Funding for this action will be made in accordance the mandates of the affected agencies and
221 funds available.
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223 **IMPLEMENTATION**

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225 The Officers of the Church, in consultation with appropriate ministries or other entities within
226 the United Church of Christ, will determine the implementing body.
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- ¹ Rome Statute of the International Criminal Court, Article 7.2(h), effective July 1, 2002, http://www.icc-cpi.int/nr/rdonlyres/ea9aeff7-5752-4f84-be94-0a655eb30e16/0/rome_statute_english.pdf.
- ² International Convention on the Elimination of All Forms of Racial Discrimination, <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CERD.aspx>.
- ³ Based on article 2 of the **International Convention on the Suppression and Punishment of the Crime of Apartheid, G.A. res. 3068 (XXVIII), 28 U.N. GAOR Supp. (No. 30) at 75, U.N. Doc. A/9030 (1974), 1015 U.N.T.S. 243, entered into force July 18, 1976.** <http://www1.umn.edu/humanrts/instree/apartheid-supp.html>
- ⁴ International Court of Justice, *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, 9 July 2004, <http://www.icj-cij.org/docket/files/131/1671.pdf>.
- ⁵ Steven Erlanger, "West Bank Sites on Private Land, Data Shows," *New York Times*, March 14, 2007, http://www.nytimes.com/2007/03/14/world/middleeast/14israel.html?_r=3&oref=slogin&oref=slogin&.
- ⁶ *Israel's Policy of Demolishing Palestinian Homes Must End: A Submission to the UN Human Rights Council by the Israeli Committee Against House Demolitions ICAHD*, March 2012, <http://icahd.org/node/458>.
- ⁷ "Israel targets Palestinian Solar Panels in bid for West Bank dominance," RT, March 14, 2012, <http://rt.com/news/palestine-israel-solar-panels-569/>.
- ⁸ B'tselem, The Israel Information Center for Human Rights in the Occupied Territories, "Background: Water Crisis," 1 Jan 2011, updated 25 Feb 2014, <http://www.btselem.org/water>; Daikonia IHL Resource Center, *Israel's Administrative Destruction of Cisterns in Area C of the West Bank*, Legal Brief, Sept. 2011, http://reliefweb.int/sites/reliefweb.int/files/resources/Full%20Report_241.pdf.
- ⁹ Jeff Halper, *An Israeli in Palestine: Resisting Dispossession, Redeeming Israel* (London: Pluto Press, 2008).
- ¹⁰ Lena Odgaard, "Israeli Wall Creates Limbo for Seam Zone Palestinians," Al-Monitor, July 2, 2013, <http://www.al-monitor.com/pulse/originals/2013/07/west-bank-seam-zone-israel-wall.html>.
- ¹¹ Al Haq, "Virtual Field Visit: Impact of the Annexation Wall, uploaded Sept. 27, 2011, <https://www.youtube.com/watch?v=lzBDWLuTp90>.
- ¹² Massimiliano Cali, "West Bank Check-Points Damage Economy, Illustrate High Cost of Trade," The World Bank, July 18, 2013, <http://blogs.worldbank.org/trade/west-bank-check-points-damage-economy-illustrate-high-cost-trade-barriers>.
- ¹³ Jeff Halper, *An Israeli in Palestine*.
- ¹⁴ Amira Hass, "Israeli crackdown on Palestinian Mobility began long before suicide bombing," *Haaretz*, April 1, 2013, <http://www.haaretz.com/misc/iphone-article/israeli-crackdown-on-palestinian-mobility-began-well-before-suicide-bombings.premium-1.512752>.
- ¹⁵ *Israel's Policy of Demolishing Palestinian Homes Must End*.
- ¹⁶ Akiva Elder, "People and Politics / Sharon's Bantustans are far from Copenhagen's hope," *Haaretz*, May 13 2003, <http://www.haaretz.com/print-edition/features/people-and-politics-sharon-s-bantustans-are-far-from-copenhagen-s-hope-1.10275>.
- ¹⁷ *Is Israel an Apartheid State? Summary of an International Legal Study*, Israeli Committee Against House Demolitions – USA, <http://icahdusa.org/multimedia/downloads/2012/12/is-israel-an-apartheid-state-single-page.pdf>.
- ¹⁸ Hussein Ibish, "Of course Gaza is still occupied," *ibishblog*, January 10, 2012, http://www.ibishblog.com/article/2012/01/10/course_gaza_still_occupied.
- ¹⁹ UNRWA, "Where we work/ Gaza Strip," <http://www.unrwa.org/where-we-work/gaza-strip>; Al-Awda, The Palestinian Right to Return Coalition, "Factsheet on Palestinian Refugees," updated October 8, 2012, <http://al-awda.org/learn-more/factsheet-on-palestinian-refugees/>.
- ²⁰ "Israel and the Nakba," Badil, <http://badil.org/en/israel-and-the-nakba>.
- ²¹ Simha Flapan, *The Birth of Israel: Myths and Realities* (New York: Pantheon Books), pp.106-107.
- ²² Gershom Gorenberg, "It's Time To Stop 'Managing' the Israeli-Palestinian Conflict and Just End It," *The American Prospect*, August 21, 2014, <http://prospect.org/article/its-time-stop-managing-israeli-palestinian-conflict-and-just-end-it>.
- ²³ "Farming under siege: Working the land in Gaza," July 5, 2014, International Solidarity Movement, <http://palsolidarity.org/2014/07/farming-under-siege-working-the-land-in-gaza/>; "Gaza Cheat Sheet," GISHA, Nov. 5, 2014, http://www.gisha.org/UserFiles/File/publications/Info_Gaza_Eng.pdf.

²⁴ *Human Rights in Palestine and Other Occupied Arab Territories: Report of the United Nations Fact-Finding Mission on the Gaza Conflict* [aka “The Goldstone Report”], United Nations Human Council, 25 September 2009, <http://www2.ohchr.org/english/bodies/hrcouncil/docs/12session/A-HRC-12-48.pdf>;

²⁵ “Israel’s Use of Excessive Force in the West Bank,” Amnesty International, February 2014, <http://www.amnesty.org/fr/library/asset/MDE15/002/2014/en/349188ef-e14a-418f-ac20-6c9e5c8d9f88/mde150022014en.pdf>.

²⁶ “General Briefing: Palestinian Political Prisoners in Israeli Prisons,” Addameer, December 1, 2013, <http://www.addameer.org/etemplate.php?id=359>; “6059 Palestinians arrested in 2014 by Israeli forces, including 1266 children,” Samidoun, Dec. 30, 2014, <http://samidoun.ca/2014/12/6059-palestinians-arrested-in-2014-by-israeli-forces-including-1266-children/>.

²⁷ “Torture in Israeli prisons: 200 methods used against Palestinian prisoners,” Middle East Monitor, October 29, 2014, <https://www.middleeastmonitor.com/news/middle-east/14957-torture-in-israeli-prisons-200-methods-used-against-palestinian-prisoners>; “Israelis accused of torturing Palestinian child detainees,” Al-Monitor, July 25, 2014, <http://www.al-monitor.com/pulse/originals/2014/07/israel-torture-children-prisons-detainees.html#>.

²⁸ Rome Statute of the International Criminal Court, Article 7.2(h), effective July 1, 2002, http://www.icc-cpi.int/nr/rdonlyres/ea9aef7-5752-4f84-be94-0a655eb30e16/0/rome_statute_english.pdf.