

Policy Statement - Israel and Palestine

1. Preamble

- 1.1.** The Methodist Church, recognising the Holocaust and the centuries of persecution suffered by Jewish people in Europe and elsewhere, and also the suffering of the Palestinian people in the Nakba and during fifty years of occupation, affirms the legitimate security fears of both Israelis and Palestinians. The Methodist Conference of 2002 stated the Methodist position that a return to the borders of 1967, and a status for Jerusalem as a place for two nations and three faiths, with parity of esteem, is the real basis upon which trust could be built up among the different communities.
- 1.2.** In 2010, Methodist Conference received the report Justice for Palestine and Israel. The Conference adopted a resolution supporting a consumer boycott of settlement projects and accepted a circuit memorial calling for the actions of companies in the Occupied Palestinian Territories (OPT) to be taken into account in investment decisions.
- 1.3.** In 2020 the Methodist Church recognised the huge power imbalance between Israelis and Palestinians, evident not only in security matters but also in the disparity of average standards of living between Israelis and Palestinians both in Gaza and the West Bank. (E.g., In the ecumenical letter signed by the President and Vice President in June 2020).
- 1.4.** The Methodist Church has:
 - condemned violence on either side and encouraged a willingness to work for peace (see 2001 Methodist Conference, Notice of Motion 17 and subsequent Methodist statements on many other occasions).
 - expressed anxiety over actions of the Israeli Defence Forces that have failed to discriminate between armed militants and civilians.
 - expressed increasing humanitarian concern over the plight of Palestinians in the West Bank and Gaza.
 - opposed the Israeli government's policy of settlement expansion in OPT and the building of the Separation Barrier that has damaged the livelihoods of so many Palestinians
 - acknowledged the fear of ordinary Israelis who feel, increasingly insecure despite the strength of their armed forces.
 - drawn attention to the perspectives of the three Abrahamic faiths in relation to Israel and acknowledges competing theological standpoints within the Christian tradition.
 - expressed concern over the theology of Christian Zionism (Justice for Palestine and Israel, 2010).
 - made statements on Israel and Palestine on several occasions in recent years, notably in 2003, and 2010, including in 2018 expressing concern over the impact of the blockade of Gaza upon the living conditions of those who live there (for example, 2018 Methodist Conference, Notice of Motion 202).
 - Condemned the killing of unarmed civilians near the Gaza borders, the excessive use of force by the IDF in and around Gaza and the firing of rockets from inside Gaza into Southern Israel.

- asked Methodists to be aware of the origins of produce, particularly produce sourced from Israeli administered areas of the OPT, with a view to avoiding their purchase (2010 Methodist Conference, resolution 14/9).
- recognised the right of all Israelis and Palestinians to exercise proportionate and appropriate security measures in difficult times.
- expressed extreme concern about the plans to annex large sections of the West Bank, stressing that it would effectively end any prospect of a Two State Solution (within memorial replies in the 2019 and 2020 Methodist Conference and correspondence with the UK government).

1.5. A list of the resolutions of the Methodist Conference and statements and of the President and Vice-Presidents of the Methodist Church can be found on the Methodist Church website (<https://www.methodist.org.uk/our-work/our-work-worldwide/global-relationships/partnerships-in-mission/global-partners/middle-east/peacemaking-in-israel-palestine/>).

2. Key Issues

2.1. Violations of International Law

Israel's occupation and practices associated with it are widely recognized by the UK government, and other governments around the world, as breaching international law. The Fourth Geneva Conventions, Hague Regulations and International Humanitarian Law are all applicable to the occupation, as are successive UN Security Council Resolutions which have been approved by member states over the last 50 years. Breaches of international law with regard to the occupation include (but are not limited to); settlements and the settlement enterprise, the building of the Separation Barrier on Palestinian land, the exploitation of Palestinian natural resources by Israel, and the illegal detention and transfer of Palestinian civilians. These issues, and others of concern regarding the occupation are expanded on below.

2.2. Settlements and the settlement enterprise

The building of settlements and their associated infrastructure, and the transfer of Israeli citizens into occupied territory, including East Jerusalem, is a violation of the Fourth Geneva Conventions and constitutes a war crime. The continued expansion of West Bank settlements on Palestinian land, resulting in the forced removal of Palestinians, the demolition of their homes and farmlands, the uprooting of olive groves and the denial of Palestinians to derive economic benefit from occupied land represent ongoing contraventions of international law. Settlements, described as 'the biggest obstacle to peace', undermine the viability of a future contiguous Palestinian State within its own secure borders. The preferential treatment of the Israeli government towards Israeli settlers living in the occupied territory compared to Palestinians is discriminatory and represents a breach of the Universal Declaration of Human Rights.

2.3. Separation Barrier

The UK Government (following the advisory opinion of the International Court of Justice) maintains the view that the building of the separation barrier within the OPT is unlawful. The separation barrier/wall, as well as attempting to minimise the risk to Israel of terrorist attack, is widely seen as a mechanism to establish new "facts on the ground", in that it has not been constructed in accordance with 1967 boundaries and therefore constitutes a de facto annexation of additional parts of the West Bank. It has thereby served to isolate and "imprison" communities (such as the largely Christian community of Bethlehem), preventing access to employment, land and services (such as timely emergency medical response). The barrier/wall represents an impediment to lasting peace between Israel and Palestine.

2.4. Exploitation of natural resources

Israel's expansion into Palestinian territory has deprived many of livelihoods, pasture and water resources. International law specifies that the resources of the occupied territory are treated as being held in trust for the benefit of the local population. The exploitation by Israel of Palestinian natural resources such as land, offshore minerals, quarries & water is considered pillage and prohibited by the Fourth Geneva Convention and the Hague Regulations. Private companies have a duty to ensure that they are not contributing to a government's contravention of international law.

2.5. Arrests and administrative detention

The forceful transfer of Palestinians from their homes, including children as young as 12, taken to Israel and held in prison without trial, is a violation of the Fourth Geneva Convention and constitutes a war crime. The questioning of children detained by the IDF without legal or parental presence contravenes their rights as a child. Israel's prolific use of administrative detention (detention without charge or trial) has been deemed contrary to human rights regulations and flies in the face of international fair trial standards.

2.6. Collective punishment

Israel's blockade of Gaza since the election of Hamas in 2007, including the restriction on the movement of people into and out of Gaza, the restrictions on imports and exports, and well as the naval, air and land blockade constitutes collective punishment of the Palestinian citizens of Gaza, which is illegal under the Fourth Geneva Conventions and constitutes a war crime. Other forms of collective punishment include the demolition of the homes of families associated with violence against Israelis rendering large numbers of family members homeless.

2.7. Violence

Israel and Palestine have become trapped in an escalating cycle of serious crises and violence. The IDF often fails to discriminate between militias and civilians; many of those killed have included children. Palestinian militia in Gaza have launched thousands of rocket attacks against Israel and Israeli settlements. The Israeli Information Centre for Human Rights in the Occupied Territories (B'Tselem) reports that between 2009 and 2020, 3579 Palestinians were killed by the Israeli forces, and of these 803 were minors. 96 Israeli civilians and 99 Israeli security force personnel were killed in the same period. The Methodist Church deplores every one of these deaths. In addition, violence by Israeli settlers on Palestinians and acts of destruction against their land and property has risen steeply in the last decade.

2.8. Legislative developments in Israel

The 2011 'Law for the Prevention of Damage to the State of Israel through Boycott' introduced legal risks to companies and other organisations whose policies with regard to the West Bank might be interpreted as a limited 'boycott'. While targeted primarily at individuals, campaigns or human rights groups, the law also provides scope for Israeli businesses and industries to be heavily penalised if they accept conditions on contracts that exclude from the supply chain businesses that are based in Israeli Settlements.

The Nation State Bill passed by the Knesset in 2018 appears to make de jure what was previously by de facto, that non-Jewish citizens of Israel have less rights than Jewish citizens of Israel. It asserts that Jewish settlement is a national value but declines to clarify the borders of the State of Israel within which this national value can be exercised. It declares that national self-determination in the State of Israel is solely for the Jewish people. Furthermore, it declares that Jerusalem 'complete and united' (including East Jerusalem) is the capital of Israel. As such the law prepares the ground for further unilateral moves on the part of Israel to annex parts of the West Bank.

2.9. Systemic challenges to the protection of human rights

Due to the expansion of the occupation and the developments in Israeli Basic Law, Israel has become an increasingly challenging environment for companies seeking to protect the equal rights of all in the region. Irrespective of whether cases are brought against companies under the 2011 'Anti-boycott Law', the law has the effect of suppressing openness and transparency around company policy with respect to the occupied territories. Further, the risk of a company's exposure to economic activity in settlements has been increased with expansion of illegal settlements and the substantial increase in the number of Israeli citizens now living in East Jerusalem and the West Bank.

2.10. Refugees

Despite repeated calls for their rights under international law to be upheld, Palestinian refugees are still denied these, including the right to return home to their lands and property, the right to resettlement in a third country, and the right to compensation for their losses. Conditions in the 58 Palestinian Refugee Camps across the Middle East are unacceptable and the Church expresses its concern for the many families who have to make their homes there.

3. Policy

- 3.1.** The CFB seeks actively not to invest in any company that is directly or materially involved in activities that are in breach of international law or is complicit in violations of human rights as defined by the United Nations Universal Declaration of Human Rights. This includes the provision of (or expectation of access to) services (such as water, gas or electricity, transportation or agricultural land) when that provision materially disadvantages one community in favour of another.
- 3.2.** The CFB seeks to invest in companies that are, or are likely to become, signatories to the UN Global Compact, thereby demonstrating a commitment to align their operations with ten universally accepted principles in the areas of human rights, labour, the environment and anti-corruption.
- 3.3.** The CFB's strategy for influencing change in Israel/Palestine relies primarily on dialogue and constructive engagement with companies. Engagement is pursued until it becomes clear that a company is not open to dialogue or failing to respond positively to the concerns raised. Such engagement will include consultation with any parties affected by the company's activities. Engagement on issues related to Israel Palestine will normally be time-limited, with a maximum of two years for a meaningful response, and disinvestment would follow, with publicly stated reasons.
- 3.4.** There will be circumstances where the concerns are of such significance that disinvestment becomes the only ethical response. Eg:
- The sale or provision of equipment or services to the military, security services, or police in support of operations in the OPT, or the supply of such equipment or services via a third party when the company should reasonably have known they would be used in the OPT, and/or in breach of UN Resolutions such as the demolition of homes, olive groves or other infrastructure
 - The construction of facilities or infrastructure within the Israeli-administered areas of the OPT
 - The construction, maintenance, and management of transport links between Israel and Israeli settlements in the OPT
 - Contracts for the supply of materials or associated activities related to the construction of the Separation Barrier
 - Commercial agricultural activity within Israeli-administered areas of the OPT
 - The manufacture of goods within Israeli-administered areas of the OPT
 - Failure by retailers to label by 'country of origin' goods sourced from the OPT and implementation of the DEFRA Code of Practice regarding the labelling of settlement-originated goods
- 3.5.** There may be situations where a company has materially negligible activities within Israeli-administered areas of the OPT. In such cases, engagement would be normally preferred over disinvestment. Efforts will be made to engage with such companies on the concerns outlined in this policy.
- 3.6.** There may be situations which lead the CFB to seek constructive engagement with companies operating in Israel/Palestine, including any business partnerships they have with Israeli or Palestinian companies. Companies should ensure they can demonstrate how they will address the systemic challenges that come with the further integration of settlements into the legislative and economic fabric of the State of Israel, and how they have paid particular regard to any human rights implications, demonstrating that they:
- have addressed human rights concerns when working within the context of conflict
 - are conversant with the adjudication of the Security Council, the UN Human Rights Council and the International Court of Justice on practices or issues that have relevance to their operations or contracts
 - are prepared to engage suppliers in dialogue regarding human rights principles

- have taken all possible measures to ensure that they cannot be held indirectly complicit in human rights abuses when selling through intermediaries to an end user

3.7. The CFB will seek to employ engagement with companies which support Israel's security apparatus in indirect ways, such as banks investing in companies which provide hardware or software to the Israeli military, actively challenging this practice.

3.8. The CFB will encourage banks to consider investments that contribute positively to both Israel and Palestine.

3.9. The CFB has long been mindful of the need for investment in the Palestinian economy, and the opportunities that exist to support social and economic development that might contribute to a more stable society.

Engagement will involve encouraging companies actively to develop opportunities which will contribute to the Palestinian economy, for example:

- in sourcing Palestinian products for export and sale, or
- in developing ethical tourism in Israel/Palestine.
- in supporting or providing vocational training to enable aspects of the Palestinian Economy to grow.
- in improving health and safety and other aspects of working conditions in Palestinian places of work, whether in Israel or Palestine.

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