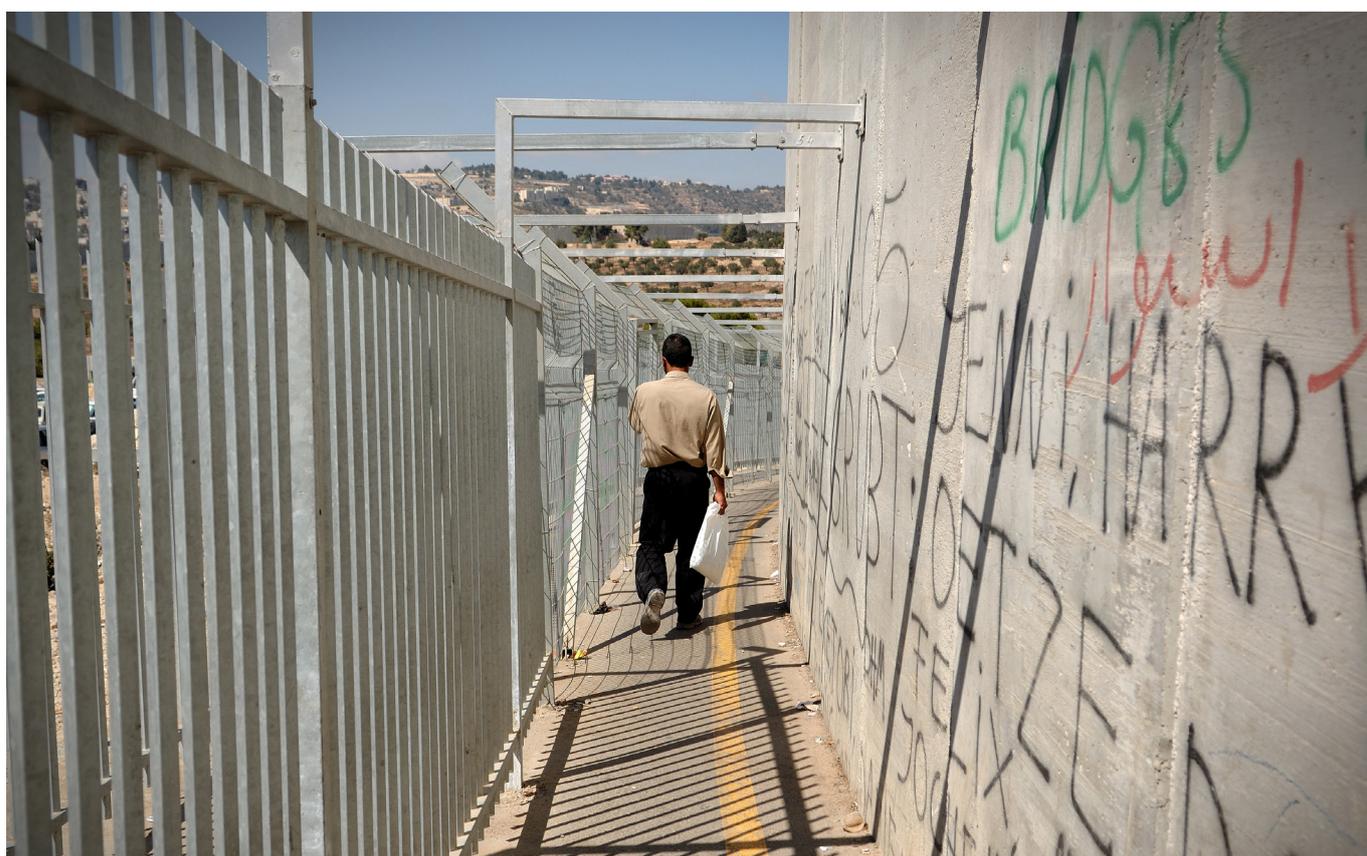


# Position for sustainable peace between Israel and Palestine in the Church of Sweden's international work

POSITION PAPER ADOPTED BY THE COMMISSION FOR INTERNATIONAL MISSION AND DIACONIA ON 22 NOVEMBER 2012.



# Summary

The Church of Sweden's advocacy work is based on the belief that the Church of Sweden, as part of a worldwide church, is called to work globally and locally for a whole and just world as the bearer of a life-affirming theology rooted in the Christian idea of reconciliation and healed relationships. The work is also based on the analysis that we as a church have particular possibilities to work in a credible way towards, and participate in discussions about, peace and reconciliation. The Church of Sweden supports actors who work with non-violent means for peace and reconciliation in the region.

## **The Church of Sweden's overall position:**

The Church of Sweden's view on the conflict between Israel and Palestine is based on international law – international humanitarian law, universal human rights, customary law and relevant international conventions. We want to work for a just and lasting peace negotiated by the conflicting parties within the framework of international law, which guarantees Israelis as well as Palestinians a life within secure and recognized borders and free opportunities to shape their own future.

From this starting point, we formulate the following positions:

- The Church of Sweden supports a two-state solution based on the 1967 borders, with Israelis and Palestinians living side by side within secure and recognized borders, and Jerusalem as a shared and open city, in accordance with previous UN resolutions.
- A sustainable solution to the conflict can only be achieved by peaceful means. All violence against and abuse of civilians that constitutes a breach of international law must cease, regardless of who the perpetrator is, and all perpetrators must be prosecuted.
- The Palestinians' right to self-determination must be recognized and respected.
- Israel has the right and the obligation to protect its people in accordance with international law.
- Israel's occupation of the Palestinian territory is illegal under international law and must cease. Until this is a reality, Israel must fulfill its obligations as an occupying power in accordance with the fourth Hague Convention and the Fourth Geneva Convention.
- The Israeli settlements on Palestinian territory including East Jerusalem and the so called wall (the separation barrier)<sup>1</sup> are violations of international law and must be dismantled.
- The status of Jerusalem as an open city shared between the two peoples and three religions, with free access to the holy places, must be guaranteed through final status negotiations in accordance with international law.
- Reconciliation between rival Palestinian groups and territorial unity are prerequisites for a free, non-discriminatory and democratic Palestine.
- All parties must, in accordance with international humanitarian law, respect the safe and unhindered humanitarian access to people in need.
- Financial and political support – both direct and indirect – for the continued occupation policy is an obstacle to the peace process.
- The Church of Sweden is against a boycott of Israel within internationally recognized borders.

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<sup>1</sup> In the remainder of this document the word wall is used. An explanation can be found in the terminology section.

# 1. Introduction

## Starting point for the Church of Sweden's position

This position is intended to show how the Church of Sweden works towards achieving a sustainable peace between Israel and Palestine in its role as an actor within long-term development work, humanitarian work and international church cooperation. The advocacy work that the Church of Sweden carries out in Sweden, in Israel, in Palestine, at the EU level, in the region, and globally together with our partners, is an important part of this work. The aim of this position is to account for our analysis of the situation in the country, show how our advocacy work is based on that analysis, and take up the issues that are at focus in our advocacy work.

The Church of Sweden supports actors who work with non-violent means for peace and reconciliation in the region. We are called to side with the vulnerable, regardless of their ethnicity or religion. We stand up for those who are discriminated against, or denied their rights, and we support those who take positive action for change. Through the Swedish Theological Institute in Jerusalem we work for theological reflections, education and meetings between religions. We see interfaith dialogue as a necessary component in a peace and reconciliation process to achieve a just and lasting peace in Israel and Palestine.

## The Church of Sweden in Israel and Palestine

The Church of Sweden's international work in Israel and Palestine dates back to 1947 with the formation of the Lutheran World Federation (LWF). With the creation of the state of Israel in 1948 and the subsequent refugee crisis, the LWF started to work with the Palestinian refugees, supported by amongst others the Church of Sweden.<sup>2</sup> As early as 1950 the Lutheran World Federation took over the Augusta Victoria Hospital on the Mount of Olives, since then a central part of the Church of Sweden's humanitarian work and development work

in the area. Parallel to this runs a deep commitment to interfaith dialogue and theological research and education, also rooted in the aftermath of World War II. Since 1951 this work has been centered around the Swedish Theological Institute in Jerusalem (STI), which was taken over by the Church of Sweden's mission in 1976. Today STI is a hub in the Church of Sweden's presence in Israel and Palestine.<sup>3</sup>

The Evangelical Lutheran Church in Jordan and the Holy Land (ELCJHL) was welcomed as a member of the LWF in 1974 and is still one of our most important partners in Israel and Palestine, both through our church relations and through our support for long-term development, especially in education. In 1949 the Anglican Church and others in Jerusalem started a humanitarian program to support some of the 726,000 Palestinians who became refugees during the Arab-Israeli war. The program grew to become the Department of Service to Palestinian Refugees (DSPR). As the Middle East Council of Churches (MECC) was established in 1974, the DSPR was formally made part of the council, and has over the years been another of our key partners in both humanitarian work and development cooperation.<sup>4</sup>

The Church of Sweden supports the Lutheran World Federation's and the World Council of Churches' work on peace and reconciliation in Israel and Palestine. We support partner organizations working on these issues, such as Rabbis for Human Rights (RHR), Jerusalem Interchurch Center (JIC) and Interfaith Encounter Association (IEA). Since the beginning of the Second Intifada in 2000, our advocacy work has intensified while prospects for a lasting peace have seemed increasingly remote, and the situation for the Palestinian population has steadily worsened. Internationally the work is done through, inter alia, the Ecumenical Accompaniment Programme (EAPPI) and the Palestine Israel Ecumenical Forum (PIEF) of the World Council of Churches, the

2 [http://www.lutheranworld.org/What\\_We\\_Do/OIahr/Issues\\_Events/8I-Israel-Palestine.pdf](http://www.lutheranworld.org/What_We_Do/OIahr/Issues_Events/8I-Israel-Palestine.pdf)

3 The STI is used primarily as a place for education for Swedish theologians, but also foreign scholars have regularly come to the institute for study purposes. The STI has also served as one of the Church of Sweden's interfaith meeting places, especially for Christians and Jews. In recent years, relations with Islam were significantly strengthened and are now part of the institute's mission.

4 More on DSPR's work can be found on their website: <http://dspr-me.org/>

APRODEV Middle-East Working Group, and the Euro Mediterranean Human Rights Network (EMHRN).

During the Gaza war in 2008–2009 the ACT Palestine Forum (APF) was formed. The APF has twelve members, both local and international NGOs, and the Church of Sweden formally became a member in 2011. The primary purpose of the APF is to coordinate humanitarian appeals and efforts in Palestine.

Education is now a central part of the Church of Sweden's involvement in Palestine.<sup>5</sup> The openness and mixed composition of students at the ELCJHL schools makes it possible to engage in education aimed at dialogue and reconciliation in a manner that is not possible in many other schools. The importance of understanding the other, and thus work for reconciliation, is consistently taught. The Dar al-Kalima College in Bethlehem is the first college in Palestine to offer arts education while at the same time fostering a dialogue on democratic values, pluralism and diversity. Young people in Palestine live at great risk and in the absence of personal security and hope for the future. Through the artistic education, which seeks to preserve and develop the Palestinian cultural heritage, the youth are strengthened in their Palestinian identity and their talents are developed, which strengthens their hope for a future.

### **The Church of Sweden's former positions**

The Church of Sweden's historical involvement in Israel and Palestine has centered on development and humanitarian work, and the various aspects of interfaith dialogue and religious studies. The last twenty years, however, the Church of Sweden has positioned itself more and more in political issues pertaining to the conflict.

In the 1990s some old liturgical texts, which could be perceived as anti-Semitic, were reworked. In 1998 this work resulted in the document "Guds vägar – Judendom och kristendom".<sup>6</sup> As the Church Assembly adopted the document in 2001 it was clarified, in relation to the Israel–Palestine conflict, that religious and historical claims to land were strongly rejected.<sup>7</sup>

In the spring of 2004 the "HOPP campaign" was started by among others the Church of Sweden.<sup>8</sup> The campaign, which aimed for a just peace in the Middle East, urged, among other things, that the occupation should be lifted, that the EU should not allow settlement products to be imported under the trade agreement with Israel, and that consumers should avoid these products.<sup>9</sup> At the Church Assembly the same year a couple of members proposed motions saying that the Church of Sweden should leave the "HOPP campaign," but both motions were rejected.

One important event in recent years is the Kairos document, "Kairos Palestine: A Moment of Truth,"<sup>10</sup> (KPD). The KPD is primarily directed to Palestinian Christians, but also to other Christians in the world, and should be seen as a theological document that calls on all Palestinians to use non violence: "A word of faith, hope and love from the heart of the Palestinian suffering."<sup>11</sup> With the KPD comes a call to theological reflection aimed at the churches in the worldwide fellowship, urging them to, based on that reflection, act for peace and reconciliation in the conflict between Israel and Palestine. In the Church of Sweden's response to the KPD, we point out our moral responsibility to work "for a peaceful and just solution to the long conflict".<sup>12</sup> With reference to the document "Guds vägar," where the Church of

5 Private schools are a necessary addition to public schools, especially as long as the Palestinian Authority does not have the means to fund schooling for all children.

6 The document can be found at: [http://www.svenskakyrkan.se/km\\_om\\_98/km/skriv/cs983/Cs983-orig-13.htm](http://www.svenskakyrkan.se/km_om_98/km/skriv/cs983/Cs983-orig-13.htm)

7 See Eu 2001:1 at: [http://www.svenskakyrkan.se/km\\_om\\_98/km/skriv/cs983/Cs983-orig-13.htm](http://www.svenskakyrkan.se/km_om_98/km/skriv/cs983/Cs983-orig-13.htm)

8 The Church Board decided on participation already in March 2003, in line with the statement of the WCC in 2001 (<http://www.oikoumene.org/en/resources/documents/wcc-programmes/public-witness-addressing-power-affirming-peace/middle-east-peace/international-ecumenical-consultation-on-the-palestinian-israeli-conflict.html?print=1%3Fprint%3D1print>).

9 The campaign lasted for a few years. A campaign brochure can be found at: <http://www.svenskakyrkan.se/hopp/Hoppfoldero602.pdf>

10 Written by a group of Palestinian Christians within the framework of the World Council of Churches' "Palestine Israel Ecumenical Forum" (PIEF) <http://www.kairos-palestine.ps/>, it was received on December 15, 2009, by 13 patriarchs, archbishops and bishops in Jerusalem, representing the Christian church leaders in Israel and Palestine.

11 Kairos Palestine: A moment of truth, 2009, p. 5.

12 Prepared by NIMD on behalf of the Archbishop, signed June 4, 2010, and sent "To those who wrote and signed the Kairos Palestine Document" with a copy to the church leaders in Jerusalem. <http://www.svenskakyrkan.se/default.aspx?id=643686>.

Sweden affirms “the importance of the promises God gave in the covenants with the people in the country,” the Church of Sweden rejects positions that offer a theological legitimization of injustice and occupation.

This position paper for a sustainable peace in Israel and Palestine means further deepening the involvement of the Church of Sweden, expressing the Church of Sweden’s commitment to work with other churches, church-related organizations and the international community to influence policy makers in Sweden, in the EU, in the UN, and in Israel and Palestine, as well as to influence public opinion in Sweden. ”To remain silent means accepting the situation as it is. The Church of Sweden has a moral responsibility to speak for a peaceful and just solution to this long conflict.”<sup>13</sup>

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<sup>13</sup> The Church of Sweden’s response to “Kairos Palestine: A Moment of Truth. A word of faith, hope and love from the heart of the Palestinian suffering,” 2009. 4 juni 2012.

## 2. The situation in Israel and Palestine

Today's conflict between Israel and Palestine has its origin in the events of the First World War when the British defeated the Ottoman Empire and took over the power of what was then called the British Mandate for Palestine. Through the so-called Balfour Declaration of 1917 the British government declared that it "viewed with favor the establishment in Palestine of a national home for the Jewish people". At the same time it stressed that "nothing shall be done which may prejudice the civil and religious rights of existing non-Jewish communities in Palestine".<sup>14</sup>

In 1947 the United Nations decided on a partition of the British protectorate of Palestine into a Jewish and an Arab state.<sup>15</sup> The Arabs who lived in Palestine and the neighboring countries did not accept the division. The situation has led to four wars, massive refugee flows, a constant war like state, and Israeli occupation of Palestinian land.

The Israeli state was formed in 1948 and is internationally recognized as defined by the armistice line known as the Green Line, which marked the end of the Arab-Israeli war of 1948–49. There has not yet been any internationally recognized Palestinian state as first Jordan and Egypt, and then Israel – after the 1967 Six-Day War – occupied the Palestinian territory. The Palestinians are still today one of the largest refugee populations in the world, scattered in semi-permanent camps both in the Palestinian territory and in neighboring countries, and as permanent residents in many countries around the world.<sup>16</sup>

The now 45-year-old Israeli military occupation of the Palestinian territory is central to today's conflict. Since 1967, the conflict has led to repeated violations of international humanitarian law (IHL) and human rights (HR) both in the occupied Palestinian territory and in Israel, caused both by Israel's military occupation and by armed Palestinian groups.<sup>17</sup> On two occasions the Palestinian resistance against the occupation has resulted in wider campaigns known as the First and Second Intifada. Politically they were directed both against the Israeli occupation, and towards the Palestinian society. Especially during the Second Intifada, the violence of various Palestinian armed groups escalated, including attacks on Israeli civilians.

The UN has in several resolutions established that the occupation is illegal according to international law, but the resolutions, passed by both the General Assembly and the Security Council, have not been implemented.<sup>18</sup> Several initiatives for peace negotiations have been introduced over the years, including the 1991 Madrid Conference, the Oslo Accords in 1993, Camp David in 2000 and the Roadmap for Peace in 2002. However, none of these initiatives led to lasting improvements in the situation. Today, the autumn of 2012, many believe that the so called peace process has been completely suspended.<sup>19</sup> A solution to the conflict seems distant.

As the peace negotiations were suspended, the situation for the people living in the occupied territory also generally worsened. Unilateral measures by Israel, such as

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<sup>14</sup> The declaration became a guiding principle while Palestine was a British protectorate (1922-47). In the end these two principles could not be united in a way that pleased both the Jews that moved to Palestine and the Arab population that already lived there.

<sup>15</sup> The UN General Assembly Resolution A/RES/181 (II). The resolution gave the Arabs the right to 45% of the country, even though they represented 2/3 of the population of what was then Palestine, while the Jews were allotted 55%. Jerusalem and Bethlehem would be under international control to ensure free access to the holy sites.

<sup>16</sup> In the occupied territory and surrounding countries alone, 4.8 million Palestinians live in refugee camps. <http://www.unrwa.org/userfiles/20120317152850.pdf>

<sup>17</sup> The UN resolution that is central to the view of the conflict is the UN Security Council Resolution 242 (S/RES/242) that was unanimously adopted on November 22, 1967. The resolution insists both on an Israeli withdrawal from the territories occupied during the Six-Day War, and on a just solution to the refugee problem. In international law the Security Council resolutions are given more weight than those of the General Assembly. Israel also ascribes more importance to the Security Council than to the General Assembly, since it is believed that there is a permanent majority against Israel in the General Assembly.

<sup>18</sup> In addition to a large number of resolutions from the UN General Assembly, three Security Council resolutions are of extraordinary importance. One of them is Resolution 242 (see footnote above), which is considered to be reinforced, in international legal terms, by Resolution 338 following the Yom Kippur War of 1973. Resolution 1397, adopted in 2002 during the so-called Second Intifada, refers to resolutions 242 and 338, but is also the first resolution adopted by the Security Council that talks about a two-state solution.

<sup>19</sup> Testimonies from the last two trips for journalists arranged by the Church of Sweden to Israel and Palestine, are nearly all very hesitant about the possibilities of achieving a just peace in the foreseeable future.

the blockade of Gaza, the construction of the wall that largely runs on Palestinian territory, expanded construction of settlements, and confiscation of land and house demolitions in the West Bank including East Jerusalem, has caused serious humanitarian problems and strangled economic development in the Palestinian territory with a rampant poverty as a result. Also in Israel within the Green Line, especially in the Negev and in cities with both Jewish and Arab populations, such as Haifa, Ramla, Lod and Beersheba, Israel's Palestinian minority is exposed to house demolitions and discriminatory treatment with respect to access to government-funded services and basic infrastructure.<sup>20</sup>

The past two decades have seen a strong expansion of the Israeli settlements on occupied land and the number of Israeli settlers has doubled.<sup>21</sup> The expansion has increased the confiscation of privately owned Palestinian land and led to a deteriorating Palestinian infrastructure through the system of checkpoints and closures that Israel has established in the West Bank. The wall that is being constructed by Israel, 85% of which is built on occupied land, restricts the movement of Palestinians even further. The system of settlements leads to a continued high presence of both Israeli military and civilian security services in the West Bank and in East Jerusalem. This has culminated in a radical deterioration of livelihoods for the majority of the Palestinians, and a broken economy, which in turn has created a society largely dependent on foreign aid.

As the most vulnerable groups in armed conflict, women, children and people with disabilities carry the double burden of inequality and occupation. Palestinian human rights groups report an increased incidence of sexual violence and domestic violence in recent years. The increasing burden of poverty has also led to deteriorating health figures for children and young people, at the same time as access to health care is decreasing, partly due to financial

cuts and partly because of the very limited freedom of movement.<sup>22</sup>

Israel formally annexed East Jerusalem in 1980, although this has not been internationally recognized. East Jerusalem's role as the economic and political hub of the Palestinians has since been restricted through stringent Israeli laws regarding residence permits, building permits, family reunification, and entry and exit. This has led to a reduction in the number of Palestinians living in Jerusalem, both in percentages and in absolute terms, and the Palestinian economic and political center has now moved to Ramallah. For most Palestinians it is currently impossible to get permission to visit Jerusalem, and the Palestinian presence in the city is threatened.

Armed attacks against Israeli civilian targets carried out by armed Palestinian groups have declined since the end of the Second Palestinian Intifada mid last decade. The exception is the rocket fire from Gaza against civilian targets in southern Israel, causing great human suffering. With reference to the rocket fire and the threat it represented to Israeli civilians, the Israeli military attacked Gaza in the winter of 2008–2009. The war resulted in an extremely serious humanitarian situation and much of the destroyed infrastructure – including factories, farms and other livelihoods assets – has not yet been rebuilt. Israel still implements a very extensive blockade of Gaza through its control of borders, air-space and coastline, which, not least, has hampered the humanitarian access. Import bans on particularly construction materials has led to acute shortage of housing, almost non-existent water treatment and daily power outages.<sup>23</sup> Despite the attack on Gaza in 2008–2009, and several small-scale air raids since then, rocket fire towards Israel has not ceased and still today many Israeli civilians around the Gaza border suffer from stress and constant anxiety.<sup>24</sup>

20 Human Rights Watch describes these demolitions in two articles: <http://www.hrw.org/news/2011/03/08/israel-stop-discriminatory-home-demolitions> and <http://www.hrw.org/news/2010/08/01/israel-halt-demolitions-bedouin-homes-negev>

21 Exact figures on the number of settlers are hard to find, but the Foundation for Middle East Peace uses official Israeli statistics: [http://www.fmep.org/settlement\\_info/settlement-info-and-tables/stats-data/comprehensive-settlement-population-1972-2006](http://www.fmep.org/settlement_info/settlement-info-and-tables/stats-data/comprehensive-settlement-population-1972-2006)

22 A report from the UN agencies OCHA and WHO from 2010 describes in detail how, among other things, the wall has affected access to health care: [http://www.ochaopt.org/documents/ocha\\_opt\\_special\\_focus\\_july\\_2010\\_english.pdf](http://www.ochaopt.org/documents/ocha_opt_special_focus_july_2010_english.pdf)

23 [http://www.ochaopt.org/documents/ocha\\_opt\\_gaza\\_blockade\\_factsheet\\_june\\_2012\\_english.pdf](http://www.ochaopt.org/documents/ocha_opt_gaza_blockade_factsheet_june_2012_english.pdf)

24 According to the Israeli trauma center Natal: <http://www.natal.org.il/English/?CategoryID=244&ArticleID=282&Page=1>

The Palestinian people is now divided, not least geographically within the Palestinian territory and in the Diaspora. After the election in 2006, the Palestinians were also divided politically between Fatah, the leading political party in the Palestinian Liberation Organization (PLO), and Hamas, an Islamist party linked to the Muslim Brotherhood movement. Today Fatah controls the Palestinian Authority (PA) and the Palestinian political power in the West Bank and in East Jerusalem, while Hamas controls Gaza. The split between Hamas in Gaza and Fatah in the West Bank is a further complicating factor in the Palestinians' quest for self-determination. Along with the dependence on foreign aid due to restrictions on movement and the almost non-existent possibilities for export, this prevents a sustainable domestic economy. Today the prospects for a sustainable Palestinian state seem very weak.<sup>25</sup>

Another worrying trend is the increasingly vulnerable situation of the Palestinian Christians. During the 1920s, the Christians represented one tenth of the population of the British Mandate, a figure that is now down to around one percent of the Palestinian population. The Christians are affected in the same way as other Palestinians by the occupation, but in many cases it is easier for them to find jobs or other opportunities to settle abroad.<sup>26</sup>

The effects of an increasingly institutionalized occupation led the Palestinians to seek self-determination through channels other than the stalled peace negotiations. In 2011 a process was initiated to seek Palestinian membership in the UN and its various agencies. This was met with a diplomatic counteroffensive from Israel and its allies, who believe this unilaterally pre-empts peace negotiations. The Palestinians on the other hand, have argued that Israel already has its state, that the Israeli occupation in itself unilaterally pre-empts peace negotiations and that the Palestinian aspirations for independence are legitimate.

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<sup>25</sup> The recent report "Trading away Peace" from amongst others the Church of Sweden shows the extreme differences that exist between the conditions of the Palestinian economy and those of the settlements, not least regarding the conditions for trade: <http://www.svenskakyrkan.se/default.aspx?id=936691>

<sup>26</sup> In the spring of 2012 the American TV program "CBS 60 minutes" did a feature on the situation of the Christians where, among others, the Lutheran priest Mitri Raheb was interviewed: <http://www.cbsnews.com/video/watch/?id=7406228n>  
This Reuters article also provides a telling picture: <http://in.reuters.com/article/2010/10/07/idINIndia-52021120101007>

### 3. The Church of Sweden's position

#### **The role of the Church of Sweden in relation to our partners and ecumenical networks**

The Church of Sweden is part of the worldwide church. Together we are the body of Christ – different parts, interdependent. The Church of Sweden is called to work globally and locally for a whole and just world as the bearer of a life affirming theology of reconciliation. We see all life as created by God in interdependence, and want to work for this life in theology and in practice. We are called to act and to take a stand for those who are in a vulnerable or marginalized position.

Being a church makes it possible to, in a credible way, seek dialogue on issues of peace and reconciliation. The Church of Sweden should, on its own and together with partners in Israel and Palestine as well as in ecumenical networks, use this particular potential to promote peace and reconciliation in the conflict between Israelis and Palestinians.

In accordance with the World Council of Churches' policy for Palestine and Israel, our advocacy work centers on the people suffering as a result of the current situation. We want to work together towards a negotiated and lasting peace for the benefit of both Israelis and Palestinians. 45 years of occupation has claimed the lives of many and violated both the Israelis' and the Palestinians' rights while the conflict between the people has deepened.<sup>27</sup> The life and witness of the local churches leads us in prayer and action for a just peace. We support and accompany groups on both sides that are working for peace and reconciliation, not least through interfaith dialogue. The Church of Sweden strongly rejects all reasoning that involves claims on land based on historical or religious arguments.<sup>28</sup> We distance ourselves from those who use religion to incite people against each other and to fuel the conflict based on ethnic or religious divisions. Instead, we want to use the Church

of Sweden's position in society, and our participation in church, interfaith and other networks, to promote respect for human rights and reconciliation between the conflicting parties through advocacy work at a national, regional and global level. Through collaboration with our local partners and other actors who share our view on the conflict, we strive to provide increased visibility for our partners working in the region, and pursue political advocacy to promote a just and sustainable peace as a solution to the conflict, as well as the maintenance of the principles of international law.

The best way to promote human rights and a just and sustainable peace is to use international law – international humanitarian law, universal human rights, customary law and relevant international conventions. The Church of Sweden wants to work for a just and lasting peace negotiated by the conflicting parties within the framework of international law, which guarantees Israelis as well as Palestinians a life within secure and recognized borders and free opportunities to shape their own future.

#### **The Church of Sweden's positions in relation to the situation in Israel and Palestine**

On the basis of the described background outlining the role of the Church of Sweden in relation to our partners and ecumenical networks, the Church of Sweden has adopted the following positions. They are based on previous positions in the Church of Sweden's governing body, and founded on the World Council of Churches' and the Lutheran World Federation's positions on this subject.

- *The Church of Sweden supports a two-state solution based on the 1967 borders, with Israelis and Palestinians living side by side within secure and recognized borders, and Jerusalem as a shared and open city,<sup>29</sup> in accordance with previous UN resolutions.<sup>30</sup>*

27 <http://www.oikoumene.org/en/programmes/public-witness-addressing-power-affirming-peace/churches-in-the-middle-east/pief/world-week/resources/wcc-policy-on-palestine-israel.html>

28 The Ecumenism Committee report Eu 2001:1.

29 An elaboration on Jerusalem as an "open city" can be found in the position on the status of Jerusalem.

30 [http://www.lutheranworld.org/What\\_We\\_Do/Olahr/Issues\\_Events/81-Israel-Palestine.pdf](http://www.lutheranworld.org/What_We_Do/Olahr/Issues_Events/81-Israel-Palestine.pdf) and also "Visbydeklarationen" which can be found at: [http://www.tco.se/Templates/Page1\\_681.aspx?DataID=3646](http://www.tco.se/Templates/Page1_681.aspx?DataID=3646) and which the Church Assembly decided to adopt in 2006. The central UN resolution is the Security Council's S/RES/242 from 1967.

- *A sustainable solution to the conflict can only be achieved by peaceful means. All violence against and abuse of civilians that constitutes a breach of international law must cease, regardless of who the perpetrator is, and all perpetrators must be prosecuted.*<sup>31</sup>

Whether exercised by Israeli military forces, or by Palestinian armed groups, we demand an end to all the violence breaching the principles of international law.<sup>32</sup> Nonviolent initiatives for conflict resolution shall be supported. Violence against civilians can never be part of the path to sustainable peace. Those responsible for violations of the laws of war must be held accountable.

- *The Palestinians' right to self-determination must be recognized and respected.*<sup>33</sup>

The Church of Sweden supports the Palestinian people's quest for self-determination and the establishment of a democratic Palestinian state within internationally recognized borders. The Palestinians' legitimately elected political representatives must be recognized and respected as such. This also implies a recognition of the Palestinian refugees' right of return in accordance with the relevant UN resolutions<sup>34</sup> and a permanent solution to the refugee situation.

- *Israel has the right and the obligation to protect its people in accordance with international law.*<sup>35</sup>

Israel's independence dating from the formation of the state in 1948 must be protected and respected. Israel has legitimate security concerns that must be

protected in accordance with international law. The international community must guarantee protection against violations and threats to Israel's territorial integrity, in accordance with the relevant UN resolutions.

- *Israel's occupation of the Palestinian territory is illegal under international law and must cease.*<sup>36</sup>

The Israeli occupation is illegal under international law and constitutes the core of today's conflict and an obstacle to peace. Relevant UN resolutions<sup>37</sup> demanding an end to the occupation must be observed. The international community, and especially the states that signed the Geneva Conventions, have an obligation to work for an end to the occupation. Until this is a reality, Israel must fulfill its obligations as an occupying power, under the Geneva Conventions. This also applies to the areas annexed by Israel: East Jerusalem and the Golan Heights. The Church of Sweden also believes, in accordance with international law expertise,<sup>34</sup> that Israel de facto still occupies the Gaza Strip, as it fully controls the area by virtue of the blockade that still exists.

- *The Israeli settlements in the occupied Palestinian territory, including East Jerusalem, and the part of the wall that runs in the occupied Palestinian territory, are violations of international law and must be dismantled.*<sup>39</sup>

Any kind of transfer of the occupying power's own population into occupied territory is contrary to the Fourth Geneva Convention, and is an obstacle to

31 "Visbydeklarationen", 2006.

32 For a deeper understanding of international law in relation to the occupation, please refer to the excellent website of Diakonia about international law: [www.diakonia.se/ihl](http://www.diakonia.se/ihl)

33 Eu 2012:2, and <http://www.oikoumene.org/en/programmes/public-witness-addressing-power-affirming-peace/churches-in-the-middle-east/pief/world-week/resources/wcc-policy-on-palestine-israel.html>

34 Primarily the General Assembly Resolution 194 of December 1948, which explicitly talks about the Palestinian refugees' right of return, and Resolution 273, adopted when Israel was accepted as a member of the UN, based on, inter alia, Resolution 194. Furthermore, the two Security Council resolutions 242 and 338 following the "Six-Day War" and the "Yom Kippur War" highlight this right of return.

35 <http://www.oikoumene.org/en/programmes/public-witness-addressing-power-affirming-peace/churches-in-the-middle-east/pief/world-week/resources/wcc-policy-on-palestine-israel.html>

36 A military occupation is not always illegal per se, since there may be security reasons that justify an occupation. However, in the case of the occupation of the Palestinian territory, a number of factors make the occupation illegal. Firstly, the UN Security Council calls for a military withdrawal from occupied territory in Resolution 242. Secondly, it is prohibited under international law for an occupying power to have its own civilian population settle in the occupied territory, to use the natural resources of the occupied territory, including water, for the own benefit, and to create obstacles to the occupied people's freedom of movement (and that of protected persons such as Red Cross staff). The Church of Sweden's former stance can be found mainly in the "HOPP campaign," and in Eu 2004:2.

37 In particular UNSCR 242, 338 and 1397.

38 For instance John Dugard, Special Rapporteur of the UN Human Rights Council, wrote in a report that Gaza remains occupied despite the withdrawal of Israeli settlements. The report, labeled A/HRC/4/17, can be found at: <http://ebookbrowse.com/4556-a-hrc-4-17-pdf-d129202193>

39 <http://www.svenskakyrkan.se/hopp/Hoppfoldero602.pdf>

peace. The expansion of existing settlements and the establishment of new ones must be stopped, and a process to dismantle the settlements must be initiated. The part of the wall that runs in the occupied Palestinian territory is deemed illegal by an opinion of the International Court of Justice and must be dismantled.<sup>40</sup>

- *The status of Jerusalem as an open city shared between the two peoples and three religions, with free access to the holy places, must be guaranteed through final status negotiations in accordance with international law.*<sup>41</sup>

The final status of Jerusalem is an international responsibility pursuant to the relevant UN resolutions, and must be decided in accordance with international law as part of the final peace negotiations. Israel's annexation of East Jerusalem has no foundation in international law. Before the final status negotiations have been conducted, Israel, as an occupying power, must guarantee open access to the holy sites.

- *Reconciliation between rival Palestinian groups and territorial unity are prerequisites for a free, non-discriminatory and democratic Palestine.*

The political divisions between rival Palestinian groups, especially Fatah and Hamas, constitute an obstacle to the emergence of a Palestinian state. The Palestinian internal fighting must be resolved within a democratic system and through democratic institutions, and the various armed factions must be disarmed. The agreement between Israel and the Palestinian Authority on "movement and access," which guarantees the territorial unity of the Palestinian territory, must be implemented as a prerequisite for a sustainable Palestinian economy.

- *All parties must, in accordance with international humanitarian law, respect the safe and unhindered humanitarian access to people in need.*

Humanitarian access is the ability of humanitarian organizations to reach women, men, children

and young people in need. In Palestine, humanitarian access is restricted for several reasons. Firstly, freedom of movement is restricted for international humanitarian organizations and UN personnel, mostly for local employees. Secondly, the ability to transport the materials needed to conduct humanitarian missions is limited. And thirdly, the implementation of projects that involve construction or rehabilitation of infrastructure is prevented. Humanitarian access is additionally limited by the fact that some countries and donors prevent humanitarian organizations from contacting Hamas in Gaza, even at the operational level. Measures that impede the smooth delivery of humanitarian assistance are unacceptable.<sup>42</sup>

- *Financial and political support – both direct and indirect – for the continued occupation policy is an obstacle to the peace process.*<sup>43</sup>

The occupation constitutes a violation of international law. Direct or indirect support for a continued occupation should be avoided. Methods designed to prevent financial support of the occupation are legitimate ways to work for peace. One such method could be campaigns against goods produced in Israeli settlements. Another method may be different forms of pressure (e.g. through funds, active securities management or business dialogues) against companies operating in the settlements or significantly contributing to the infrastructure of the occupation, or whose conduct otherwise impedes the enforcement of international humanitarian law. However, these methods must never be used to seek to undermine Israel's right to exist as an independent state within recognized borders.

- *The Church of Sweden is against a boycott of Israel within internationally recognized borders.*<sup>44</sup>

The Church of Sweden recognizes and supports the right of Israel to exist within internationally recognized borders.

<sup>40</sup> The decision of the International Court of Justice can be found at: <http://www.icj-cij.org/docket/index.php?pr=71&code=mwp&p1=3&p2=4&p3=6&ca>

<sup>41</sup> WCC through <http://www.oikoumene.org/en/programmes/public-witness-addressing-power-affirming-peace/churches-in-the-middle-east/pief/world-week/resources/wcc-policy-on-palestine-israel.html>

<sup>42</sup> Based on the UN agency OCHA oPt's report "Humanitarian Overview," May 2012.

<sup>43</sup> <http://www.oikoumene.org/en/programmes/public-witness-addressing-power-affirming-peace/churches-in-the-middle-east/pief/world-week/resources/wcc-policy-on-palestine-israel.html> and the "HOPP campaign".

<sup>44</sup> According to, for instance, statements during the "HOPP campaign".

## Sweden's role

The Church of Sweden recognizes that Sweden has a long tradition of protecting international humanitarian law and human rights. Both the social democratic and centre-conservative governments have supported the Palestinians in their quest for a state of their own, and have been deeply involved in various peace negotiations. With the Swedish EU Presidency in 2009, Sweden was also the driving force to unite the EU in its hitherto sharpest condemnations of Israel's occupation policies. Sweden has played and should continue to play an important role in defending international law within the EU as well as in the UN.

Starting from these positions, the Church of Sweden believes that the Swedish government:

- should press for Palestine to be admitted as a full member of the UN<sup>45</sup>
- should work within the EU to encourage legislation to limit the possibilities of financially, or in other ways, supporting the illegal settlements<sup>46</sup>
- should act within the EU to prevent bilateral agreements between the EU and Israel from being upgraded or concluded without any provision for compliance with international law<sup>47</sup>
- should promptly legislate regarding origin labeling of products from Israeli settlements, in accordance with EU directives<sup>48</sup>
- should work for an improvement of the humanitarian situation and respect for humanitarian operations in their bilateral relations with the relevant authorities
- should actively support continuing initiatives for a sustainable solution to the conflict

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45 The Archbishop of Sweden criticized, in a letter, Sweden's vote against full membership for Palestine in UNESCO in 2011. The letter can be found here: [http://www.svenskakyrkan.se/default.aspx?id=650325&nd\\_ukey=e64555a4641c47568ec93c4a39f95a1a&nd\\_view=view\\_pressrelease&nd\\_id=701155](http://www.svenskakyrkan.se/default.aspx?id=650325&nd_ukey=e64555a4641c47568ec93c4a39f95a1a&nd_view=view_pressrelease&nd_id=701155). Since then the debate on Palestinian membership of the UN has intensified within the Church of Sweden. At the Church Assembly in 2012 this resulted in a decision that clearly takes a stand for the recognition of Palestine as a sovereign state, even before a final peace agreement. The decision is based on the Ecumenism Committee's report Eu 2012:2.

46 Eu 2012:2

47 In accordance with a statement from "Världens fest" in 2010: <http://www.svenskakyrkan.se/default.aspx?id=627070>

48 The EU Directive 2005/29/EC on unfair commercial practices, states among other things that "A commercial practice shall be regarded as misleading if it contains false information and is therefore untruthful or in any way, including overall presentation, deceives or is likely to deceive the average consumer, even if the information is factually correct, in relation to one or more of the following elements, and in either case causes or is likely to cause him to take a transactional decision that he would not have taken otherwise". This includes incorrect origin labeling of goods, and applies, according to the EU Commission, to settlement products.

## The validity of this position

This position should be valid for three years and thus be revised latest by 2015. The external analysis should also be updated at that time, or earlier if deemed necessary due to radically changed conditions.

# Annexes

1. Terminology
2. Reference persons

## Terminology

The conflict between Israelis and Palestinians is probably the most charged conflict in the world. Debates on the topic can therefore easily become polarized. Careless wording can obscure and render understanding more difficult. The usage of terminology that excludes may also be discriminating. Therefore it is recommended that the Church of Sweden use a consistent terminology in official contexts. The following are the terms that should be used, including a short explanation.

*Palestinians* – The Arab people living in Israel and the occupied Palestinian territory shall be called Palestinians. The reason for this is that they come from and live in the area historically called Palestine, and it is also the name they themselves want to use. Arab is primarily a cultural and linguistic denomination.

*Israelis* – The correct and modern name for the residents and citizens of the state of Israel is Israelis. The term can be qualified by talking about Jewish, Muslim and Christian Israelis. All three categories require citizenship of the state of Israel. However, the term Israeli Palestinian is to be preferred when talking about the Arab citizens of Israel.

*Palestine* – The political and demographic unit constituted by the Palestinians should be called Palestine. This creates symmetry in relation to the name Israel. The conflict is thus called the Israeli-Palestinian conflict.

*The occupied Palestinian territory* – The geographical area consisting of Gaza and the West Bank, including East Jerusalem, should be referred to as a territory and not a state, in order to emphasize that the area has been occupied since 1967. In line with what the UN agencies working in the area choose to call it, the singular should also be used.

*The West Bank and East Jerusalem* – the West Bank should be called the West Bank in contemporary descriptions and discussions. The historical and biblical names Judea and Samaria (which are the names that nationalist groups in Israel use to make it sound like a continuity of the biblical Israel) exclude the Palestinian presence. There is no internationally recognized border between Jerusalem and the rest of the West Bank; therefore it should be called the West Bank including East Jerusalem. Sometimes there are reasons to talk about only East Jerusalem as it is nowadays separated from the rest of the West Bank by the wall. Sometimes one may also want to talk about the rest of the West Bank, meaning the part that Israel does not refer to as annexed; in that case the term the West Bank without East Jerusalem should be used.

*The wall* – The restricting and separating barrier that Israel started building in 2002 should be called a wall. It is built inside the Palestinian territory and results in Palestinians being separated from each other. It inhibits and prevents freedom of movement. The wall is, in fact, not a wall throughout the entire route. In those places where it consists of electric fence and military roads instead, it actually claims even more land. In 2004, the International Court of Justice in The Hague stated an opinion saying that the wall violates international law (mainly because it runs far into the occupied territory). The court consistently calls it a wall.<sup>49</sup>

49 The opinion of the International Court of Justice (ICJ) can be found at: <http://www.icj-cij.org/docket/index.php?pr=71&code=mwp&cp1=3&cp2=4&cp3=6&ca>

## Reference persons

These positions have been developed in consultation and with input from the following people:

*Gunilla Hallonsten, Henrik Fröjmark, Rolf Pearson, Kjell Jonasson, Håkan Bengtsson, Gustaf Ödquist, Göran Gunner, Carin Gardbring, Ingrid Norrman, Sara Nordbrand, Stig Lundberg, Ulrika Persson, Gunnel Axelsson Nycander, Sofia Nordenmark, Marit Norén, and Sofia Oreländ.*

Coverphoto: Magnus Aronson/IKON

Man walking through the terminal that serves as a border crossing for Palestinians between Bethlehem and Jerusalem.

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in long-term development, humanitarian assistance and advocacy.