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November 14, 2017

Another Chance to Move the U.S. Embassy to Jerusalem: Will the President Do the Right Thing?

Dear Friend of FLAME:

There is no question: Jerusalem stands at the <u>center</u> of Jewish life—as well as the political center of the Jewish state.

Jerusalem is mentioned five times in the Amidah prayer we recite silently every Shabbat. Jews face Jerusalem when we pray. At the end of every Passover celebration we exclaim "Next year in Jerusalem!" to voice <u>our yearning to return</u> to the geographical and spiritual home of our people.

Historically, Israel's capital was established by the Jewish King David 3,000 years ago (hence Jerusalem's nickname, the City of David), and it's been a <u>majority Jewish city</u> for the last 100 years. Of course, Jerusalem has been the capital of present-day Israel since Independence in 1948.

Yet the U.S. keeps its Israeli Embassy in Tel Aviv, making Jerusalem the only capital in the world whose status is denied illegally—by the United States. Indeed, Congress in 1995 ratified the Jerusalem Embassy Act, which <u>orders establishing our Embassy in</u> Jerusalem.

The Act also gives the President the ability on a semiannual basis, in the interests of "national security," to delay implementing the law which every President since 1995 has regularly done. President Trump, who <u>promised he would move the Embassy</u> to Jerusalem on "day one" of his Presidency, has invoked this waiver privilege once so far.

His next deadline to exercise the waiver—or allow the move—is December 1. This time he should fufill his campaign promise.

First, locating the Embassy in Jerusalem is just the <u>right thing to do</u> for all the compelling reasons outlined above.

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IF YOU SUPPORT PUBLISHING FLAME'S BOLD PR MESSAGES, PLEASE HELP US!! Second, by delaying the inevitable, Mr. Trump only builds false expectations on the part of the Arab Palestinians, who nurture a fantastical belief that they will <u>inherit the eastern half of Jerusalem</u> as part of their new state.

Placating the Arabs on this issue is wrong for several major reasons, foremost among them is that the Palestinians aren't even close to accepting <u>the existence of the Jewish state</u>, which is an absolute requirement for peace. Nor do the Palestinians have the political and economic stability to support a state—and won't for years to come. Nor, finally, will Israel ever divide Jerusalem so the Arabs have sovereignty over half of it.

In short, President Trump shouldn't <u>delay justice</u> for Israel based on false hopes for productive peace negotiations with the Arabs. Bad policy.

But there's <u>one more reason</u> the President should relocate the Embassy and recognize Jerusalem as Israeli territory—which is the subject of this week's FLAME Hotline featured article, below.

This piece, by venerable diplomat and Israeli spokesperson Dore Gold, makes a powerful case for supporting Israel's stewardship of Jerusalem. Indeed, he argues, Israel is the only power that can guarantee access and security for the <u>3000-year-old treasure trove</u> of religious archeology, history, sites of worship and artifacts in Jerusalem.

I believe you'll find, as I did, that Gold's article opens up a fascinating new dimension on why Israel's presence in Jerusalem is critical <u>not just to Israel</u>, but to Christians, Jews and Muslims the world over.

Please also take a quick minute also to review the P.S. below and click on the link to review FLAME's latest *hasbarah* effort, if you haven't done so yet. It discusses the <u>most villainous of U.N. agencies</u>, the UNHRC.

Best regards,

Jim Sinkinson President, Facts and Logic About the Middle East (FLAME) FLAME is the only organization that defends Israel with paid editorial hasbarah messages placed in media nationwide every month: The dire threats from Iran, Hamas and Hizbollah, the injustice of BDS, Palestinian anti-Semitism and more. If you support a bold voice that tells the truth about Israel in American media, please donate now.





FLAME'S WEEKLY HOTLINE E-NEWSLETTER



FLAME's Hotline e-newsletter keeps you up to date on the most important pro-Israel advocacy issues and features our choice of the week's most informative and thoughtprovoking article on Israel and the Middle East. If you only subscribe to one pro-Israel news service, make it the FLAME Hotline.

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P.S. The U.N. Human Rights Council-already one of the most despicable anti-Semitic U.N. agencies-recently nominated 16 new members, including seven that U.N. Human Rights Watch deems unqualified for their poor human rights records: Afghanistan, Angola, Democratic Republic of Congo, Malaysia, Nigeria, Pakistan and Qatar. The UNHRC has long been a forum for oppressive regimes to pass judgments on Israel, and this new crop of members is certain to continue that practice. The Middle East's only democracy and truly a light unto nations in so many ways, Israel suffers more condemnations by the UNHRC than all other nations together. In just the last year, the UNHRC passed twice as many resolutions against Israel as against North Korea and Syria combined. In order to make Americans-especially college and university studentsaware of this injustice, FLAME has just produced and will soon publish a new position paper: "Exit the U.N. Human Rights Council." This paid editorial will appear in magazines and newspapers, including college newspapers, with a combined readership of some 10 million people. In addition, it is being sent to every member of the U.S. Congress and President Trump. If you agree that this kind of public relations effort on Israel's behalf is critical, I urge you to support us. Remember: FLAME's powerful ability to influence public opinion-and U.S. support of Israelcomes from individuals like you, one by one. I hope you'll consider giving a donation now, as you're able-with \$500, \$250, \$100, or even \$18. (Remember, your donation to FLAME is tax deductible.) To donate online, just go to donate now.

As of today, more than 15,000 Israel supporters receive the FLAME Hotline <u>at no charge</u> every week. If you're not yet a subscriber, won't you join us in receiving these timely updates, so you can more effectively <u>tell the truth about</u> <u>Israel</u>? Just go to <u>free subscription</u>.

Moving the American Embassy to Jerusalem: Why It Matters

By Dore Gold, Testimony to the U.S. House of Representatives Committee on Oversight and Government Reform, November 8, 2017

Today, I am not going to address the question of moving the U.S. Embassy from Tel Aviv to Jerusalem directly. It is my view that President Donald Trump has made a commitment in that regard and I believe he will stand by what he has said. The United States will evaluate the timing and circumstances for executing that decision in accordance with its interests.

The U.S. will of course have to consider many factors in making that decision. But what is often overlooked in the contentious debate about the location of the U.S. Embassy in Israel is why it matters. The embassy question is a subset of a much more important issue: the need for Western recognition of Jerusalem as Israel's capital. That recognition is vital for several reasons.

On a political level, the denial of recognition helps fuel the dangerous fantasy, popular in the Middle East, that Israel is impermanent and illegitimate. On a religious and cultural level, the denial of recognition helps fuel the dangerous fantasy that Jews have no connection to Jerusalem and Israel—that their presence is an imposition because the land is not their homeland.

Those could be characterized as Israeli interests alone. But what I'd like to discuss today is what could be called the international interest, or the interest in Jerusalem of concerned states. That interest often concerns the protection of the holy sites and assuring complete freedom of access to them. Religious freedom and pluralism is a core value which both our countries share.

Protecting Jerusalem's holy sites is a responsibility that the State of Israel assumed in law back in 1967, when Jerusalem was reunited after the Six-Day War. It is also a responsibility that the people of Israel, I believe, are prepared to assume in the future as well.

For etched into the collective consciousness of all of us is what happened to Jerusalem when we were absent and when we were barred from the city, and what has happened to the holy sites since 1967—since Israel unified Jerusalem and protected access for all peoples and faiths. What is clear from a brief survey is that only a free and democratic Israel will protect the holy sites of all the great faiths in Jerusalem. Let me stress, to the extent that the U.S. reinforces Israel's standing in Jerusalem, it is reinforcing core American and Western values of pluralism, peace, and mutual respect—and it is reinforcing the position of the only international actor that will protect Jerusalem's holy sites.

The Internationalization of Holy Sites

The very fact that Jerusalem is viewed as a holy city by all three of the great monotheistic faiths—Judaism, Christianity, and Islam has frequently led to ill-conceived proposals to internationalize Jerusalem or sections of it in any resolution of the Arab-Israel conflict. It is not widely remembered, but this idea was actually tried—and failed miserably.

Nonetheless, it is sometimes surprisingly argued in certain diplomatic circles that the point of reference for any political solution on Jerusalem should be UN General Assembly Resolution 181 of November 29, 1947, which is also known as the Partition Plan. It should be recalled that Resolution 181 called for establishing an international entity around Jerusalem, which it called a Corpus Separatum. It would be governed by the United Nations itself.

On May 15, 1948, when Israel declared its independence,

invading Arab armies placed Jerusalem under siege. Its Jewish population was cut off from food and water. In addition to all this, Jerusalem faced intense artillery bombardment. The Egyptians took up positions on the outskirts of Bethlehem. An Iraqi Expeditionary Force reached the Jerusalem neighborhood of Talpiot. The Old City was invaded by the Arab Legion of Transjordan. Israel's Foreign Minister, Moshe Sharett, reported to the UN that "ancient Jewish synagogues are being destroyed one after the other as a result of Arab artillery fire." Those artillery shells hit churches and even the Dome of the Rock on the Temple Mount. The mounting attacks led to a mass exodus of the Jewish population of the Old City—what today would be called "ethnic cleansing." The only question that arose was what the UN was going to do with this unfolding situation.

Frankly, it did nothing. Its internationalization proposal was failing. Standing in the Knesset, Israel's parliament, on December 5, 1949, after the end of the first Arab-Israeli War, Israel's first prime minister, David Ben-Gurion, spoke about the Corpus Separatum and the UN's role. The UN, he reminded his listeners, "did not lift a finger" to protect Jerusalem. Only the newly created Israel Defense Forces, along with pre-state formations, protected "Jewish Jerusalem from being wiped off the face of the earth." The recently formed Har'el Brigade of the Palmach, which had been placed under the command of Yitzhak Rabin, was given the mission to break the siege, thereby permitting relief columns to enter the city.

Ben-Gurion then went on in his Knesset speech to address the internationalization proposal contained in Resolution 181: "We cannot today regard the decision of 29 November 1947 as being possessed of any further moral force, since the United Nations did not succeed in implementing its own decisions. In our view, the decision of 29 November about Jerusalem is null and void" (emphasis added). In other words, Israel still adhered to the rest of the resolution, but it could not give up parts of Jerusalem to international control. Ben-Gurion reminded the UN that "the people which faithfully honored for 2,500 years the oath sworn by the Rivers of Babylon not to forget Jerusalem—this people will never

reconcile itself with separation from Jerusalem." Eight days later, Ben-Gurion declared that he was moving the Knesset from Tel Aviv to Jerusalem: "For the State of Israel there has always been, and always will be, one capital only—Jerusalem the Eternal."

Again, this is not just a history lesson. In March 1999, when I served as Israel's ambassador to the UN, there was an initiative underway to revive Resolution 181 with respect to Jerusalem. This effort was supported by members of the European Union, several Arab states, and by the PLO. I doubted that the Palestinians really wanted internationalization, but it served as a convenient instrument for prying Jerusalem away from Israel.

During a visit by PLO Chairman Yasser Arafat to UN Secretary-General Kofi Annan, the internationalization idea contained in 181 re-surfaced and came up in a formal letter to the Secretary-General that was distributed to all member states. I asked for instructions from my prime minister, and I was told to go back to Ben-Gurion's formulations in this regard from 1949 and use them, which I did. While internationalization and division of the city has no credibility today, given the experience of the past, the idea nonetheless still creeps up in prestigious research institutes and academic bodies that influence the policy-making community.

Holy Sites in the Interim Period

In 1993, with the signing of the Oslo Accords between Israel and the PLO, a second scenario for holy sites arose. Those agreements, which created interim arrangements, were implemented with respect to the West Bank and the Gaza Strip. Jerusalem was designated as an issue for final status negotiations in the future. The Interim Agreement from 1995, which was the most important of the implementation instruments created under Oslo, made reference to religious sites in the West Bank and the Gaza Strip that were transferred to Palestinian jurisdiction (Annex III, Appendix 1, Article 32). While these agreements were signed by Prime Minister Yitzhak Rabin, or by his foreign minister, Shimon Peres, in his presence, it became clear that he never planned to relinquish Jerusalem. One month before his assassination in November 1995, Rabin stood in the Knesset and stated plainly that the borders of Israel during the "permanent solution" will include "first and foremost united Jerusalem...as the capital of Israel."

In the meantime, during the interim period, guarantees were given to protect the holy sites, to assure free access to them, and to provide freedom of worship and practice. The Interim Agreement was signed by the parties here in Washington, in the White House, and witnessed by the U.S., Russia, Egypt, Jordan, Norway, and the EU, which added their signatures. How did this arrangement turn out? If the Interim Agreement was intended to provide a test run for the management of holy sites by the Palestinian leadership in a future final status agreement, it fell far short of what even the strongest advocates of the Oslo Accords had expected.

In the aftermath of the failure of the Camp David summit in July 2000, the PLO launched what became known as the Second Intifada. Religious sites were specifically targeted. In Bethlehem, Fatah operatives and Palestinian security services assaulted Rachel's Tomb in December 2000. Less than two years later, in April 2002, 13 armed Palestinians from Hamas, Islamic Jihad, and Fatah Tanzim forcibly entered the Church of the Nativity in Bethlehem—the birthplace of Jesus and one of the holiest sites for Christianity.

The gunmen seized the Christian clergy as hostages, looted church valuables, and desecrated Bibles. Another repeated target for attack was Joseph's Tomb in Nablus, the protection of which was undertaken by the Palestinian side in the Oslo II Agreement. Gunmen from Fatah and Hamas took part in the ransacking of the site in October 2000. The site came under attack again as Palestinians torched Joseph's Tomb in October 2015 and set it on fire.

The Growing Assault by Jihadi Groups on Holy Sites across the Middle East

The escalating aggression against holy sites in the West Bank cannot be examined in isolation. It was becoming a hallmark of many jihadi groups across the Middle East. There was the famous 2001 attack by the Taliban in the Bamiyan Valley of Afghanistan against the 2,000-year-old Buddhist statues there which were reduced to rubble. Ten years later in 2011, a suicide bomb exploded at the Coptic Orthodox Church in Alexandria, Egypt, killing 23 and wounding nearly 100. The Egyptian Interior Ministry placed responsibility for the attack on Jaish al-Islam, a Gaza-based organization that had conducted joint operations with Hamas in the past.

These threats to Christian sites continued. In December 2016, a suicide bomber struck a chapel next to St. Mark's Cathedral in Cairo. ISIS, which in the meantime had established itself in eastern Libya and in northern Sinai, took responsibility for the attack. But Egyptian security personnel also looked for a connection to the Muslim Brotherhood. And in 2017 on Palm Sunday, twin bombing attacks were perpetrated against churches in the Egyptian cities of Tanta and Alexandria, killing 41. ISIS declared its responsibility for the attacks, as well.

The fact that ISIS participated in the assault should not have been surprising, since it came to Egypt after its involvement in a

sectarian war in the Levant. In northern Syria, armed opposition groups had begun targeting religious sites, including Christian churches, not long after the Syrian civil war began. A Shia institution found in a number of villages, known as a husseiniya, was a repeated object of attack. In Iraq, ISIS broke off the cross from one of Mosul's main Syrian Orthodox churches and announced its conversion into a mosque. It was the second conversion of this sort to be conducted in Mosul.

What is clear is that many of the organizations perpetrating attacks on holy sites were interconnected. Jaish al-Islam issued a communique in 2015 announcing its allegiance to ISIS. Sheikh Yusuf -al Qaradawi, who is viewed as the spiritual head of the Muslim Brotherhood and who resides in Qatar, issued his opinion on the 2001 Taliban attack on the Bamiyan Buddhas. His only reservation was based on his concern that such a move would elicit Buddhist retaliation against Muslims. Thus, the attack itself was not prohibited, but he was only concerned with its possible repercussions. Qaradawi's religious opinions appear on the websites of Hamas, thus they can have an impact on other theaters of conflict.

In Jerusalem, the key organization that represented radical Islam was the Northern Branch of the Islamic Movement in Israel—an offshoot of the Muslim Brotherhood. On the one hand, its leader, Sheikh Raed Salah, falsely charged Israel with threatening to undermine the foundations of the al-Aqsa Mosque in Jerusalem. He convened rallies under the banner of "al-Aqsa is in Danger," and incited much of the Middle East with this lie. Yet while this movement claimed Israel was threatening the al-Aqsa Mosque, it had been instrumental in digging out the underground halls under the compound of the al-Aqsa Mosque, which ironically posed the greatest potential threat to its stability. At its own initiative, Israel worked with regional partners to protect the area from any instability.

In 1947, Jerusalem was being showered with artillery fire and synagogues were being blown up. During the 1950s and 1960s, Jerusalem was divided by barbed wire, walls, and machine gun emplacements. Today, the unified city under Israeli control welcomes over three million tourists a year who visit its holy sites in peace and security.

The State of Israel has acted responsibly in protecting this legacy of humanity. The question of the location of the U.S. Embassy is really a question of whether the United States recognizes Jerusalem as Israel's permanent capital—sending a signal to the world that efforts to delegitimize Israel, to rewrite the history of other religions, and to pit Western countries against each other will fail. By recognizing Jerusalem and moving its embassy, the United States would help promote peace and security in the region.

I wish to remind this committee that in the past there were states that fully respected Jerusalem as Israel's capital. Indeed, 13 states had their embassies to Israel in Jerusalem until 1980. That year, however, the Soviet and Muslim blocs in the United Nations pushed through a resolution demanding that the 13 remove their embassies. They all did. The U.S. Secretary of State, Edmund Muskie, called the resolution "fundamentally flawed," and that the U.S. considered the instruction that states remove their diplomatic missions from Jerusalem "not binding" and "without force," stating, "We reject it as a disruptive attempt to dictate to other nations."

Whatever is finally decided on the embassy issue, states have a clear choice. They can support the State of Israel, which has acted responsibly in protecting this legacy of humanity, or they can undercut Israel, by preferring arrangements for the Holy City that plainly have not worked in the past and will undoubtedly fail in the future. There is a regional assault on holy sites underway across our region. Israel deserves your support as it defends Jerusalem. For only a free and democratic Israel will protect Jerusalem for all the great faiths.



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