Talking Points/FAQs on the 2016 ELCA Churchwide Assembly actions related to Israel and Palestine

C1 - Peace with Justice in the Holy Land (Assembly Action CA16.05.13)

1. **Why should Israel have to comply with internationally recognized human rights standards to continue receiving financial and military aid from the US?** Existing U.S. law requires it. U.S. law states: "No assistance shall be furnished under this Act or the Arms Export Control Act to any unit of the security forces of a foreign country if the Secretary of State has credible information that such unit has committed a gross violation of human rights" (Foreign Assistance Act of 1961 as amended, 22 U.S. Code § 2378d), and "Of the amounts made available to the Department of Defense, none may be used for any training, equipment, or other assistance for a unit of a foreign security force if the Secretary of Defense has credible information that the unit has committed a gross violation of human rights" (Department of Defense Appropriations Act, 10 U.S. Code § 2249e).
2. **Is this action holding Israel to a different standard than other countries? What other countries does the ELCA ask to comply with internationally recognized human rights standards to continue receiving financial and military aid from the US?** The standard isn't different. In the late 1980s and 1990s the ELCA called for similar conditions to be placed on U.S. assistance to El Salvador. In May 2016, the ELCA joined with other faith communities in a letter to Congress urging compliance with these standards for military assistance or arms sales to the Middle East, specifically with respect to Saudi Arabia, Israel, Egypt, and U.S.-armed Syrian insurgents.
3. **Why isn't Palestine named in this action?** Both partners in the conflict are addressed. The ELCA calls for "the protection of the human rights of Palestinians and Israelis and oppose all violence and actions which discriminate against or deny any people their basic freedom, dignity or human rights".
4. **What would recognition of the state of Palestine impact?** Recognition of Palestine by the U.S. would establish full diplomatic relations and Palestine's admission to the UN would enable it to vote in the General Assembly and fully participate in all aspects of the UN's work.
5. **Is the Assembly's action anti-Semitic?** No. The actions of the Assembly did not place blame on the Jewish community as a whole or involve hatred for Judaism, but addressed the actions and policies of the State of Israel, which is a government.
6. **What about Lutheran - Jewish relations?** In 1994 the ELCA adopted a "Declaration to the Jewish Community" which repudiated Luther's anti-Judaic diatribes, denounced anti-Semitism, and reached out in right relationship to Jewish neighbors. This Declaration continues to be the framework for ELCA engagement with the Jewish community. The Assembly was addressed by Rabbi David Sandmel, director of interfaith affairs of the Anti-Defamation League, who lifted up this Declaration, as well as the several ELCA education and dialogue resources including: "Guidelines for Lutheran-Jewish Relations," "Talking Points: Topics in Jewish-Christian Relations," and "Luther and Contemporary Interreligious Relations". He also said "Jews, Muslims, and Christians must stand together against all forms of hatred, especially hatred based on religion". The response to his greeting was a standing ovation.
7. **The first Assembly action calls upon the Presiding Bishop to communicate several messages to elected officials and encourages others to do the same. When will such letters be sent?** The timing of any of the Presiding Bishop's communications to elected officials takes into account several factors including when the most strategic time would be to send them. That will be the case for these messages as well. Peace Not Walls staff will share these messages through its

usual communications channels so that others can also make timely communications to their officials.

8. **What steps can individuals take in terms of advocacy related to these actions?** Individuals are encouraged to communicate the concerns raised with their Members of Congress and the Administration through e-mail, letters or visits. Sign up to receive ELCA Peace Not Walls action alerts about the Middle East (be sure to click "Middle East network" on the form).

C2 - Justice for the Holy Land through Responsible Investment (Assembly Action CA16.06.27)

9. **What are investment screens? What is the benefit of an investment screen?** The ELCA's social criteria investment screens provide a guide for this church with regard to corporate social responsibility (CSR). They delineate areas in which the ELCA would like to invest or refrain from (future) investing and provide criteria to evaluate the scope of CSR work. The objective of social criteria investment screens is to identify the dimensions of a given problem area and, within those dimensions, to focus on egregious problems that are most critical to address. All social criteria investment screens have the overall objective of addressing the ELCA's concern for the social, environmental, as well as economic sustainability of corporations. See also the Social Criteria Investment Screens Policy. From Portico's perspective, the advantage of a screening approach is it offers flexibility and context for on-going decision making without being tied to a specific list of companies up front which can become outdated.
10. **What is the potential positive impact of a human rights investment screen?** Via screening used in the social purpose funds, ELCA retirement plan members will have an option to participate in investment funds aligned with ELCA social teachings and policies.
11. **Did the ELCA vote to divest?** No. The ELCA voted to develop a human rights social criteria investment screen that is based on the teachings of this church and, in the case of Israel and Palestine, to base this screen on the concerns raised in the ELCA Churchwide Strategy for Engagement in Israel and Palestine.
12. **What is the difference between investment screens and divestment?** Divestment is the act of selling an asset for the purpose of implementing either financial, legal, or social goals without consideration of investment returns. Historically, some investors have used this tool to protest a particular corporate policy such as Apartheid in Southern Africa. The ELCA does not have a practice of divestment, nor does it recommend divestment, but rather implements a screening process consistent with ELCA social criteria screens. When an ELCA investment screen is developed, Portico participates in the discussion and, once approved by the Church Council, considers the screen for implementation in the social purpose portfolios taking into account its fiduciary responsibility to its plan members.
13. **What are the other investment screens that Portico has in place for the ELCA?** The current social criteria investment screens of the ELCA include both positive and negative screens. They include alcohol, tobacco, gambling, pornography, military weapons, environment, private prisons and community development. All of these are currently implemented by Portico in the social purpose funds.
14. **How is the ELCA involved in positive investment?** The ELCA is dedicated to long-term social investment with long-standing financial commitments to our companion church, the Evangelical Lutheran Church in Jordan and the Holy Land (ELCJHL), and related partners in Palestine. Therefore, the ELCA's social investment return can be found in the ELCA's engagement with the

ELCJHL, The Lutheran World Federation (LWF) – Jerusalem, and other entities. From Fiscal Year 2012 to Fiscal Year 2014, the ELCA gave over $2.2 million in grants to the ELCJHL, the LWF-operated Augusta Victoria Hospital, and to smaller initiatives like the Peace Center for the Blind. The Mission Investment Fund, reaching beyond its primarily domestic mission, loaned $1.2 million to Dar Al-Kalima College (also a beneficiary of the Presbyterian Foundation) and $1.5 million to the ELCJHL for the construction of the Baptismal Pilgrimage Site and Retreat Center at the Jordan River in Jordan. In addition, at the invitation of the ELCJHL the ELCA provides global personnel for specific ministry roles at an annual cost of more than $400,000. Portico has been collaborating with ecumenical partners to learn more about potential investments in Palestine. Furthermore, as a result of the Social Impact First program used in the social purpose funds, it's more likely Portico may be able to make an investment in this region. Currently several options are under consideration, but given the volatility of the region, upholding Portico's fiduciary responsibility remains uniquely challenging.

15. **Can ELCA members learn what is being screened for in the investment screens so that they can apply the same to their own investments (i.e. if they are not clergy and do not have investments managed by Portico)?** Portico investment screening is implemented to be as closely aligned with the ELCA social criteria screens as possible. Portico uses a social criteria consultant to help research and develop its list of screened companies, and the consultant agreement places restrictions on the list, including prohibiting its distribution to those not invested in Social Purpose Funds managed by Portico. However, anyone can go to the ELCA CSR Resource page to see all the ELCA screens and their "Definition of Problem" section which provides additional detail on the types of companies to be addressed and the continuum of screening.

    Ideas individuals can consider using to help determine whether a given company may be in conflict with one of the ELCA screens include the following:

    - Consider/look at the name of the company since it may help identify what business a company is in (e.g. Century Casinos, Eastside Distilling, etc.)
    - Do some basic research online:
        - Google the company name to see what comes up, and Wikipedia can be a good starting place as well
        - Go to Bloomberg.com for more detailed company information and search on a company name or ticker.
            - Information shown includes company sector, industry and sub-industry
            - Click on company website under the Bloomberg profile information for even more detailed information
                - Visit the "Investors" or "Investor Relations" section of the company website for a wide range of information

16. **Who is on the ELCA's Corporate Social Responsibility (CSR) Review Team? Who will convene this Team?** The CSR review team consists of the director for advocacy, the director of the Lutheran Office for World Community, the CSR consultant, the director for theological ethics, other staff of the churchwide organization, and staff of Portico Benefit Services (Portico will review screens, issue papers, and proposed resolutions but will not make recommendations for these ELCA churchwide responsibilities). The team is convened by the Domestic Mission unit. See also this chart about roles and responsibilities of the churchwide organization with respect to CSR for further details.

General

17. **What role did the ELCJHL have in drafting the memorials adopted by the CWA?** The ELCJHL did not have a role in drafting the resolutions. The memorials from 15 ELCA synods that were the source of the CWA legislative actions were developed with awareness of the impact of the continuing conflict between Israel and Palestine on the ELCJHL and Palestinian people, but Bishop Munib Younan of the ELCJHL was not consulted in the preparation of the source memorials or the resolutions eventually adopted by the CWA. When the CWA decisions were reported to Bishop Younan, he acknowledged these as decisions of an independent companion church to be respected, and he thanked the ELCA for its continuing accompaniment and advocacy on behalf of peace with justice in the Holy Land.

{Additional questions can be addressed to peacenotwalls@elca.org}

Text from 2016 Churchwide Assembly Actions C1 and C2 can be found below. For developments and actions related to Israel and Palestine over the years see here.

2016 Churchwide Assembly

Action Regarding "Peace Not Walls" Campaign
Category C1: Peace with Justice in the Holy Land

Assembly Action: CA16.05.13
YES-751; NO-162

To receive with gratitude the memorials of the Northwest Washington, Sierra Pacific, Southwest California, Rocky Mountain, Minneapolis Area, Southwestern Texas, Southeastern Iowa, South-Central Wisconsin, Southeast Michigan, Indiana-Kentucky, Metropolitan New York, Northeastern Pennsylvania, Upper Susquehanna and West Virginia-Western Maryland synods related to Israel and Palestine;

To reaffirm the commitment of this church to:
1. Continue its awareness-building, accompaniment, and advocacy on behalf of a peaceful resolution of the conflict between Israel and Palestine;
2. Take steps to assist the Evangelical Lutheran Church in Jordan and the Holy Land (ELCJHL) and other Christians in sustaining their endangered presence in the Holy Land;
3. Promote the economic empowerment of Palestinians, including investment in Palestinian projects and businesses;
4. Promote the protection of the human rights of Palestinians and Israelis and oppose all violence and actions which discriminate against or deny any people their basic freedom, dignity or human rights;
5. Embrace the principles of restorative justice as part of the ELCA's advocacy and engagement for the just resolution of the Israeli-Palestinian conflict and actively seek ways to support Palestinians and Israelis engaging in restorative justice dialogue and other projects; and
6. Continue to pray for the ELCJHL and the work of The Lutheran World Federation Jerusalem program;

To encourage this church's members, congregations, synods, and agencies as well as the presiding bishop to call on the U.S. President, in coordination with the United Nations Security Council, to offer a new, comprehensive and time-bound agreement to the governments of Israel and Palestine, resulting in

a negotiated final status agreement between Israel and Palestine leading to two viable and secure states with a shared Jerusalem;

To urge this church's members, congregations, synods, agencies and presiding bishop to call on their U.S. Representatives, Senators and the Administration to take action requiring that, to continue receiving U.S. financial and military aid, Israel must comply with internationally recognized human rights standards as specified in existing U.S. law, stop settlement building and the expansion of existing settlements in East Jerusalem and the West Bank, end its occupation of Palestinian territory, and enable an independent Palestinian state; and

To encourage this church's members, congregations, synods, and agencies to call on the U.S. President to recognize the State of Palestine and not prevent the application of the State of Palestine for full membership in the United Nations.

2016 Churchwide Assembly

Action Regarding "Peace Not Walls" Campaign
Category C2: Justice for the Holy Land through Responsible Investment

Assembly Action: CA 16.06.27
Vote by Card

To receive with gratitude the memorials from the Sierra Pacific, Southwest California, Metropolitan New York and the Delaware-Maryland synods regarding Justice for the Holy Land through Responsible Investment;

To reaffirm the actions of the 2005, 2007, 2011 and 2013 Churchwide Assemblies regarding responsible investment in Israel-Palestine;

To direct the ELCA's Corporate Social Responsibility review team to develop a human rights social criteria investment screen based on the social teachings of this church and, in the case of Israel and Palestine, specifically based on the concerns raised in the ELCA Middle East Strategy;

To encourage ELCA members, congregations, synods, agencies and institutions to increase positive investment in Palestine and other under-resourced areas where human rights abuses materially impact the well-being of all people; and

To encourage ELCA members, congregations, synods, agencies and institutions to engage in shareholder advocacy in support of human rights, exercising the right of a shareholder to submit resolutions at a corporation's annual meeting.

Note: The ELCA Churchwide Assembly voted by a large majority to adopt the action above. The vote was cast by green and red cards (rather than electronic voting) and so there in no official number. Many observers suggest it was 90+% in favor.

October 20, 2016