



**Congress of the United States
House of Representatives
Committee on Oversight and Government Reform**

**“Moving the American Embassy to Jerusalem:
Challenges and Opportunities”**

Wednesday, November 8, 2017, 10:00 a.m.

**Ambassador Dore Gold
Witness Testimony**

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.

But what is frequently overlooked in this discourse is why this matter is so important. The answer to this is that the act of moving the Embassy is really a subset of a much larger issue, and that is finally recognizing a united Jerusalem as Israel's capital. That recognition is vital because of the main international interest in the Jerusalem question: the protection of the Holy Sites and assuring complete freedom of access to them.

This is a responsibility that the State of Israel assumed in law back in 1967, when Jerusalem was re-united 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 what has happened to holy sites around us under different political arrangements that arose in recent decades. 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. These sites have faced physical harm in the last few decades.*

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."



The Jews of the Old City were either killed, expelled or imprisoned following Jordan's invasion of Jerusalem in 1948 – what today would be known as ethnic cleansing. *Left*: Jewish residents fleeing their homes in the Old City through the Zion Gate. *Right*: The Porat Yosef Yeshiva is blown up by the Jordanians after the fall of the Jewish Quarter in 1948 and the expulsion of its residents. The Jordanians blew up and damaged dozens of synagogues and desecrated the ancient Mount of Olives cemetery (Photos: John Phillips, *LIFE Magazine*, Getty Images, 1948).

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 US, 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 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.



Left: Palestinians stand on the roof of Joseph’s Tomb in Nablus on October 7, 2000, after Palestinian fighters and civilians stormed the Israeli enclave, destroyed holy books and set the sacred site ablaze in a victory “celebration” held shortly after the IDF evacuated the site. (AP photo/Lefteris Pitarkis). *Right:* A Greek Orthodox priest, held hostage in Church of the Nativity in Bethlehem by Palestinians who entered forcibly, seized the Christian clergy as hostages, looted church valuables and desecrated Bibles, holding a sign saying “PLEASE HELP,” April 2002. (Government Press Office).

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. Marks 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.



Left: in 2001, Taliban fighters decided to destroy two-thousand year-old Buddhist statues in the Bamiyan valley of Afghanistan with explosives, reducing them to rubble (AP). *Right:* A Coptic church set aflame by Muslim Salafists in a Cairo neighborhood, amid violent clashes (EPA).

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 been 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 Raad Salah falsely charged Israel with threatening to undermine the foundations of the al-Aqsa Mosque, convening rallies under the banner of "al-Aqsa is in Danger," and inciting much of the Middle East with this lie. On the other hand, this movement 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.

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.



Ambassador Dore Gold

Ambassador Dore Gold is President of the Jerusalem Center for Public Affairs.

In June 2015 until October 2016, Dore Gold left the Jerusalem Center, which he had led since 2000, to serve as Director General of the Ministry of Foreign Affairs, an appointment by Prime Minister Benjamin Netanyahu. During his tenure at the Foreign Ministry, Ambassador Gold advanced policies that strengthened Israel on a global level – from Africa and Asia to the Mid-East and the Western world.

Ambassador Gold was the eleventh Permanent Representative of Israel to the United Nations (1997-1999). In January 2014, he was appointed as an external advisor on international issues to Prime Minister Benjamin Netanyahu. During Prime Minister Netanyahu's first term, and in the capacity of foreign policy advisor, Ambassador Gold served as an envoy to the Palestinian Authority, Egypt, Jordan and the Gulf States. Ambassador Gold also served as an advisor to Prime Minister Ariel Sharon.

Ambassador Gold was a member of the Israeli delegation at the Wye River negotiations between Israel and the PLO outside of Washington. He negotiated the Note for the Record, which supplemented the 1997 Hebron Protocol and in 1999 concluded the negotiations with the U.S., Lebanon, Syria and France for the creation of the Monitoring Group for Southern Lebanon. In 1991, he served as an advisor to the Israeli delegation to the Madrid Peace Conference. From 1985 to 1996, he was a senior research associate at the Jaffee Center for Strategic Studies, Tel Aviv University, where he was Director of the U.S. Foreign and Defense Policy Project. Dr. Gold received his BA ('75), MA ('76) and Ph.D. ('84) from Columbia University, where he specialized in the Middle East and in international law.

Ambassador Gold has written books and articles on the Middle East, including *The Rise of Nuclear Iran: How Tehran Defies the West* (Regnery, 2009), *The Fight for Jerusalem: Radical Islam, the West, and the Future of the Holy City* (Regnery, 2007), *Tower of Babel: How the United Nations Has Fueled Global Chaos* (2004), *Hatred's Kingdom: How Saudi Arabia Supports the New Global Terrorism* (Regnery, 2003), and *U.S. Military Strategy in the Middle East* (Tel Aviv: Ministry of Defense Publications, 1993). His articles have appeared in *Asahi Shinbun*, *Commentary*, *Daily Telegraph*, *Die Zeit*, *Ha'aretz*, *Jerusalem Post*, *Le Monde*, *The New York Times*, *Washington Post*, and *Wall Street Journal*.

He lives in Jerusalem with his wife, Ofra, their children and grandchildren.

**Committee on Oversight and Government Reform
Witness Disclosure Requirement — "Truth in Testimony"**

Pursuant to House Rule XI, clause 2(g)(5) and Committee Rule 16(a), non-governmental witnesses are required to provide the Committee with the information requested below in advance of testifying before the Committee. You may attach additional sheets if you need more space.

Name: **Dr. Dore Gold**

1. Please list any entity you are representing in your testimony before the Committee and briefly describe your relationship with each entity.		Your relationship with the entity				
Name of Entity						
1. Jerusalem Center for Public Affairs		President (2000-2017)				
2. Ministry of Foreign Affairs, Israel		Director General (2015-2016); Ambassador of Israel to the United Nations (1999-1999)				
2. Please list any federal grants or contracts (including subgrants or subcontracts) you or the entity or entities listed above have received since January 1, 2015, that are related to the subject of the hearing.						
Recipient of the grant or contact (you or entity above)	Grant or Contract Name	Agency	Program	Source	Amount	
N/A						
3. Please list any payments or contracts (including subcontracts) you or the entity or entities listed above have received since January 1, 2015 from a foreign government, that are related to the subject of the hearing.						
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I certify that the information above and attached is true and correct to the best of my knowledge.

Signature  Date: 31 October 2017 Page 1 of 1