



MEMORANDUM

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Israel

Israel, our most trusted ally in the Middle East, is constantly under the threat of attack. The ACLJ is committed to defending the right of Israel to defend itself. The ACLJ's legal and legislative teams are engaged in Congress, at the United Nations, and in Israel to protect Israel and America's interests in the region.

The American Center for Law and Justice (ACLJ) and its globally affiliated organizations are committed to ensuring the maintenance of freedom and liberty in the United States and around the world. As part of this effort, the ACLJ is dedicated to ensuring the continued viability of Israeli democracy in the Middle East. Israel is our closest ally in the Middle East and, like any other nation, has the right to exist as a people and the right and duty to defend itself from attacks. As an autonomous nation, Israel should not and may not be forced into international schemes to attempt to arbitrate conflict resolution. Such resolution must come from the voluntary agreement between the parties themselves.

As the nation of Israel has come under vicious and unprovoked attacks from terrorists, international organizations, and the media, the ACLJ has responded with a multipronged approach designed to ensure the continued viability of the United States' strongest ally in the Middle East. We have filed briefs and argued before the International Criminal Court in support of Israel's right to self-defense and against unfounded accusations of war crimes. We and our international affiliates at the European Center for Law and Justice have lobbied before the United Nation in support of justice for Israel. In the United States, we have gathered petition

signatures to the President to stand by our Ally, in addition to garnering public awareness and support through the use of traditional and new media.

The ACLJ's Strategy for Defending Israeli Democracy

1. Legal Defense:

In December 2008, Israeli forces entered the Gaza strip to suppress terrorist forces (Hamas) that had been firing rockets at Israeli military and civilian targets. Hamas used human shields, civilian clothes, and located their bases of operations in high population areas, including schools and hospitals, while Israel followed the traditional rules of war and engagement. Despite Israel's discreet exercise of national defense, many organizations began accusing Israel of war crimes, and the United Nations Human Rights Council condemned Israel's actions.

When the International Criminal Court (ICC) began exploring the possibility of attempting to prosecute Israel for alleged war crimes, the ACLJ went to Israel's defense. Since Israel is not a party to the Rome Statute and Palestine is not a recognized "state," the ICC does not have jurisdiction over Israel. Israel could not send a representative to defend itself without giving the appearance that it was acceding to ICC jurisdiction. Enter the ACLJ.

Led by Chief Counsel Jay Alan Sekulow, a team of ACLJ attorneys submitted hundreds of pages of sophisticated and detailed legal arguments to the ICC, and Dr. Sekulow flew to the Hague to present oral arguments before the ICC in defense of Israeli autonomy. Afterwards, Dr. Sekulow wrote that "we believe in the rule of law and that was evident in our presentation before the court. It is clear that if the ICC takes jurisdiction over Israeli soldiers, there's nothing to prevent the court from gaining jurisdiction over U.S. soldiers—and others—who stand up to the world's terrorists." Furthermore, "while this case focuses specifically on the rights of Israeli soldiers to defend their nation—it also centers on the right of every free nation to stop terrorists. This is about national sovereignty and protecting the rights of Israelis and Americans, too."

In 2010, when Israel received widespread condemnation for enforcing a blockade to keep Hamas terrorists from smuggling arms into the Gaza strip, the ACLJ came to its defense. ACLJ attorneys published a legal memorandum supporting Israel's right to self-defense and correcting common misconceptions of the facts and the applicable legal and moral principles.

2. Lobbying

The ACLJ's international affiliate in Europe maintains a presence at United Nations and Council of Europe events and continues to use its influence to lobby for Israel's right to exist and to self-defense. Dr. Sekulow and other high profile ACLJ allied attorneys have met with the United States' ambassador to the United Nations to urge the United States to take a lead in supporting Israel's defense against terrorist attacks from Hamas and Hezbollah. In addition, Dr. Sekulow has used his influence with members of the European Parliament with some success as he urged European support for Israel's fight for national sovereignty and self-preservation. In addition to lobbying in the international arena, the ACLJ's office in Washington D.C. lobbies for Israeli support on Capitol Hill.

3. Public Awareness and Support

The ACLJ is a leader in raising public awareness and support for our allied democracy in the Middle East through the use of traditional and new media. Dr. Sekulow's national radio program is broadcast over XM satellite radio and over 800 stations around the country, and is a primary and effective vehicle for raising national awareness for issues regarding Israel. In addition, ACLJ attorneys appear regularly on national TV and Jordan Sekulow regularly contributes a column to the Washington Post where he has raised awareness of issues such as the false allegations of war crimes that have been levied at Israel for their self-defense measures.

When Israel was condemned for enforcing a weapons blockade aimed at keeping weapons out of the hands of terrorists, the ACLJ gathered support through the radio program, TV appearances, print media, email lists, twitter updates, and a national petition campaign to the United States government to publicly defend Israel in their war on terror.