

PALESTINE

Background

The Israeli-Palestinian conflict's long-held prominence in the international community has been overshadowed by a myriad of crises that are redefining the regional balance in the Middle East. Those crises include the Iran nuclear deal and its reception by leery Gulf Arab states, the war in Syria, and the rise of the self-proclaimed Islamic State of Iraq and the Levant (ISIL). All the while, many parts of the long-held status quo and facts on the ground have changed for the worse, including new violence, unabated settlement growth in final status dependent areas, consolidation of Israeli control over far-flung settlements, and a prolonged string of attacks on Israeli military and civilians by Palestinians, typically wielding knives.

Violence across the West Bank and particularly the escalations in East Jerusalem have compounded the suffering of Palestinians, piqued the worst fears of Israelis, and frustrated U.S. diplomatic efforts to preserve the two-state solution amidst massive changes on the ground. Israel's occupation of the West Bank, blockade of Gaza, and unapologetic violation of the equal rights of Palestinian citizens of Israel and Bedouin are only worsening, causing suffering for people on both sides of the conflict. These issues must return to the forefront of the international community's peace agenda. Until serious efforts at a just resolution are underway, the facts of occupation and discrimination will continue to erupt in violence - tragic violence that must be understood as symptoms of a prolonged and asymmetric conflict and 50+ years of brutal occupation.

The Problem

Although peace negotiations are at a standstill, there have been significant developments with the U.S.-Israel diplomatic relationship. On the one hand, the U.S. continues to walk a fine diplomatic line in touting the strength of the U.S.-Israel special relationship while being increasingly critical of settlement growth and suspicious of Netanyahu's real intentions regarding peace. Secretary of State John Kerry and UN Ambassador Samantha Powers are two senior Obama officials who have voiced uncharacteristic criticism about the direction of Netanyahu's government and his commitment to the two-state solution.

The U.S. is still widely assumed to be the only credible negotiator who can bring Israel to the table, and President Obama should aggressively pursue an avenue back to the negotiating table. But, the U.S. cannot ignore the real time actions that will undermine peace. While jockeying for and holding peace talks, the U.S. must act to end the occupation, stimulate the Palestinian economy, condemn all settlement growth as well as settler violence, and condemn undemocratic actions within the state of Israel.

Any attempts to bring Israel back to the negotiation table will likely face opposition from Congress. Congress is unlikely to pressure Israel on any score, and recently succeeded in outmaneuvering the White House to change longstanding policy on the status of Israeli settlements by including language in two trade-related bills that effectively erases the green line and asserts Israeli ownership of Palestinian land on which settlements and outposts were illegally built. The settlement language - which was packaged with a measure to restrict trade with any company that participates in the Boycott, Divestment, and Sanctions Movement (BDS) - represents a major overreach in Congressional authority as foreign policy is made solely in the Executive Branch, with Congressional oversight. Because the language was in a large trade bill the White House had been pushing for, President Obama signed it into law and issued a Presidential signing statement saying that his Administration will not enforce the settlement rules.

Not only is Congress passing laws favorable to Israel, including bills that protect settlements and condemn the nonviolent BDS movement, but many members of Congress have sought to further drive a wedge between Obama and Netanyahu. There has been repeated suggestion in Congress and on the 2016 Presidential campaign trail that President Obama has abandoned - or at least weakened the U.S. commitment to - Israel. Although the two leaders have been in several embarrassing public spats, mostly centering around their heated disagreement about the Iranian nuclear deal, the fact remains that President Obama's Administration has given an unparalleled amount of military aid to Israel and the U.S. has not changed its negotiating strategy.

Nearing the end of his term, there is presumably mounting pressure on President Obama encouraging one more attempt at peace to ensure that he is not the President who "presided over the death of the two state solution." Any attempts to bring Israel back from the negotiating table will likely face opposition from Congress and give fodder to campaigning Presidential nominees who have all, except Senator Bernie Sanders, put forward policies on Israel that are drastically hardened positions from the Obama Administration.

Moving Forward

We encourage Congress and the White House to:

- Take up one of the following courses of action to reach a just solution:
 1. Assert U.S. leadership to achieve a just resolution to the Israeli-Palestinian conflict. The U.S. can and should set out a list of U.S.-backed, non-negotiable principles for the conflict. Those principles should include: the end of the illegal Israeli occupation of Palestine; the lifting of the blockade on Gaza; a robust aid package to assist the Palestinian people in building a stronger economy to address their society's needs; and, equal rights for every citizen of Israel regardless of ethnicity or religion.
 2. Allow the negotiation process to be "internationalized" by empowering the the UN Security Council members to increase their leadership role in bringing about resolution. After decades of exclusive U.S. leadership of the peace process and no results for the Palestinians, it is time to try a different approach. The U.S. should refrain from thwarting Palestinian efforts taken at the United Nations General Assembly or any resolutions that come before the UNGA during future sessions. There should be resolutions laying down consensus red lines in the Israeli-Palestinian conflict. And the U.S. should push its partners in the Middle East Quartet to propose concrete consequences for actions that undermine the viability of the two-state outcome for both sides as determined by the UN Security Council
- Hold Israeli Prime Minister Netanyahu to account for his rhetoric and racist policies impacting Palestinians in the Occupied Territories and Palestinian citizens of Israel.
- Make a considerably larger allocation of assistance to international organizations leading the reconstruction of Gaza given the extraordinary and urgent need for humanitarian relief and infrastructure materials.