



U.S. Policy on Israel & Palestine Under the Trump Administration

HOW RECENT DEVELOPMENTS UNDERMINE THE PROSPECT FOR PEACE

Over the span of just two years, the Trump Administration has derailed longstanding U.S. policy toward Israel and Palestine. The United States was once seen as a legitimate, but certainly not impartial, mediator in the Israeli-Palestinian conflict. However, recent concessions to the Israeli government have only further entrenched Israel's illegal occupation and attempted annexation of Palestinian land.

The Trump Administration's approach to the Israeli-Palestinian conflict is an aberration from longstanding U.S. policy and has harmed the prospect for peace. Moreover, changing perspectives on Israel and Palestine, particularly among younger Americans, suggest the small, unfit, and unqualified coterie of presidential advisors directing U.S. policy toward the conflict are increasingly out of step with public opinion. Among advocates for justice in Palestine and seekers of a peaceful resolution to the Israeli-Palestinian conflict, these nascent changes to public opinion might cast a ray of hope.

That may be true, but there is much to be done to prevent the Trump Administration's aberrant policy decisions from becoming established U.S. positions and permanently damaging the prospect for peace.

DISHONEST BROKERS FOR PEACE

News reports indicate the Trump Administration will release a "Middle East Peace Plan" in 2019, but assurances that it will represent a "comprehensive vision for peace" are doubtful at best.¹ Indeed, the administration's systematic dismantlement of established U.S. positions threatens any potential "final status" agreement between Israel and the Palestinians.² The

U.S. shuttered the office of the Palestinian Liberation Organization in Washington, DC,³ and also closed the U.S. Consulate General in Jerusalem, which had served as America's de facto embassy to the Palestinians.⁴ So long as the U.S. continues to sever diplomatic ties with key stakeholders, a just resolution to the Israeli-Palestinian conflict will remain out of reach.

The Trump Administration's abandonment of longstanding U.S. positions on Israel does not end there. In clear disregard for international law, the administration no longer recognizes Israel's military presence on territories seized during armed conflict in 1967 as an "occupation."⁵ On multiple occasions, President Trump has said his administration's recognition of Jerusalem as Israel's capital and subsequent relocation of the U.S. embassy from Tel Aviv to Jerusalem were both efforts to remove the city from "the negotiating table."⁶ These actions have isolated the U.S. from other international actors and have forced key stakeholders into an untenable state of affairs.⁷

ASSAULTS ON PALESTINIAN HUMAN RIGHTS

With Jerusalem and other key issues allegedly "off the table," the Trump Administration has resorted to bargaining with the lives of innocent children and others in need of assistance. The administration has cut all U.S. funding to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), which provides relief and humanitarian services, including education and health care, to Palestinian refugees.⁸ Provisions of the Anti-Terrorism Clarification Act,⁹ which took effect this year, have also resulted in the cessation of all assistance from the U.S. Agency for International

Development (USAID) to Palestinians in the occupied territories.¹⁰ Meanwhile, the situation for Palestinians continues to deteriorate on the ground. Israel's settlement expansion in the West Bank has only accelerated in the last two years, and Israeli Prime Minister Benjamin Netanyahu has pledged to annex these settlements in brazen violation of international law.¹¹ According to the United Nations, the Israeli government, and Israeli monitoring groups, reports of settler violence against Palestinians and crimes against property in the West Bank are surging.¹²

In Gaza, Israeli forces have wounded thousands of Palestinian protestors since demonstrations began along the Gaza fence in 2018.¹³ After investigating all 189 fatalities recorded between March and December of 2018, the United Nations determined there were “reasonable grounds to believe that, in all [but two] cases, the use of live ammunition by Israeli security forces against demonstrators was unlawful” because the victims posed no “imminent threat.”¹⁴ If that is the case, these offenses constitute war crimes.

For Palestinian citizens of Israel, what was once *de facto* second-class citizenship has become *de jure* with the passage of Israel's Nation State law, which declares the right to self-determination “unique to the Jewish people.”¹⁵ This development and others – all transgressions against peace and justice – demonstrate the Israeli government's increased latitude during the Trump Administration to pursue nationalist interests and violate Palestinian human rights.¹⁶ As this administration continues granting concessions to Israel, Palestinians suffer. Altogether, these developments indicate that any forthcoming peace plan from the Trump Administration will be unviable.¹⁷

SHIFTING ATTITUDES ON ISRAEL & PALESTINE

Current U.S. policy toward Israel and Palestine is subject to the inclinations of a small, unfit, and unqualified collection of individuals within the Trump Administration. Both Senior Advisor Jared Kushner,¹⁸ who is President Trump's son-in-law, and U.S. Ambassador to Israel David Friedman,¹⁹ who was President Trump's bankruptcy lawyer, are staunch advocates of Israel's unjust acquisition of the Palestinian territories through settlement expansion. National Security Advisor John Bolton, who has made a career of taking baseless, disqualifying positions on various foreign

policy issues,²⁰ appears to have less interest in solving the Israeli-Palestinian conflict than he does in hardening U.S. policy toward Iran.

During this sensitive phase of the Israeli-Palestinian conflict, these actors have undermined the prospect for a peaceful resolution. Moreover, their positions are increasingly out of step with American public opinion. While recent polling demonstrates that Americans remain sharply divided on issues related to Israel and Palestine, younger Americans have become more critical of the Israeli government and U.S. policy toward Israel.²¹ According to analysis of other recent polling on American attitudes toward Israel and Palestine, these criticisms are rooted in “a principled worldview that emphasizes human rights and international law.”²²

While this nascent shift in public opinion is promising for those who advocate justice in Palestine and a peaceful resolution to the Israeli-Palestinian conflict, there is much to be done. The Trump Administration has privileged the strident nationalist interests of the Israeli government at the expense of Palestinian human rights, upending longstanding U.S. policy in the process. We cannot allow the aberrations of this administration to become established positions that permanently undermine the prospect for peace.

In order to prevent this from happening, Congress should constrain the Trump Administration's actions and demand accountability for the Israeli government's violations of international law and basic human rights. Congress must also restore U.S. humanitarian aid to the Palestinians, including the annual commitment to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). Moreover, the U.S. should denounce rhetoric and policies that dehumanize the Palestinian people, including the Israeli government's passage of the Nation State law, which relegates Palestinian citizens of Israel to *de jure* second-class citizenship.

Congress does not have a sound track record on the Israeli-Palestinian conflict. At this critical juncture, it is imperative that lawmakers move beyond political posturing and advance policies that constrain and counteract recent actions of the Trump Administration, lest the prospect for peace diminish to the point of no return.

ENDNOTES

- 1 Kevin Breuninger, *Jared Kushner: U.S. Will Present Long-awaited Middle East Peace Plan After Ramadan, and He Will Send Immigration Plan to Trump by Next Week*, CNBC News (Apr. 23, 2019), <https://www.cnn.com/2019/04/23/trump-middle-east-peace-plan-is-coming-after-ramadan-jared-kushner-says.html>.
- 2 Philip H. Gordon, *Rethinking U.S. Policy Toward the Palestinians*, Council on Foreign Relations (Feb. 28, 2019), <https://www.cfr.org/report/rethinking-us-policy-toward-palestinians>.
- 3 Merrit Kennedy, *Trump Administration to Close Palestine Liberation Organization Office in D.C.*, NPR (Sept. 10, 2018), <https://www.npr.org/2018/09/10/646323929/trump-administration-to-close-palestine-liberation-organization-office-in-d-c>.
- 4 Noga Tarnopolsky, *U.S. Closes Consulate in Jerusalem that Served as the De Facto Embassy to the Palestinians*, Los Angeles Times (Mar. 4, 2019), <https://www.latimes.com/world/la-fig-israel-us-consulate-20190304-story.html>.
- 5 Oliver Holmes, *U.S. Alters Golan Heights Designation From 'Israeli-Occupied' to 'Israeli-Controlled'*, The Guardian (Mar. 13, 2019), <https://www.theguardian.com/us-news/2019/mar/13/us-describes-golan-heights-as-israeli-controlled-not-israeli-occupied>. See also Vanessa Romo, *Trump Formally Recognizes Israeli Sovereignty Over Golan Heights*, NPR (Mar. 25, 2019), <https://www.npr.org/2019/03/25/706588932/trump-formally-recognizes-israeli-sovereignty-over-golan-heights>.
- 6 Peter Jacobs, *Trump Just Doubled Down on a Big Change to Israel Policy and Confirmed Jerusalem is 'Off the Table'*, Business Insider (Jan. 25, 2018), <https://www.businessinsider.com/trump-israel-jerusalem-off-the-table-davos-2018-1>.
- 7 David Kenner, *Trump Administration Blindsided Palestinian Leaders on Jerusalem Designation*, Foreign Policy (Dec. 8, 2017), <https://foreignpolicy.com/2017/12/08/trump-administration-blindsided-palestinian-leaders-on-jerusalem-designation>.
- 8 Rosie Perper, *U.S. Ends Aid to Palestinian Refugee Agency UNRWA*, BBC (Sept. 1, 2018), <https://www.bbc.com/news/world-us-canada-45377336>.
- 9 Debra Shushan, *Congress Must Move Quickly to Fix the Anti-Terrorism Clarification Act*, The Hill (Jan. 28, 2019), <https://thehill.com/opinion/national-security/427213-congress-must-move-quickly-to-fix-the-anti-terrorism-clarification>.
- 10 Stephen Farrell and Maayan Lubell, *USAID Assistance in the West Bank and Gaza has Ceased: U.S. Official*, Reuters (Feb. 1, 2019), <https://www.reuters.com/article/us-usa-palestinians-usaid/usaid-assistance-in-the-west-bank-and-gaza-has-ceased-us-official-idUSKCN1PQ418>.
- 11 Associated Press, *Netanyahu Vows to Annex West Bank Settlements if Re-elected*, Politico (Apr. 7, 2019), <https://www.politico.com/story/2019/04/07/benjamin-netanyahu-israel-west-bank-1260173>.
- 12 Loveday Morris and Ruth Eglash, *Attacks by Israeli Settlers Surge as West Bank Tensions Boil*, Washington Post (Mar. 6, 2019), https://www.washingtonpost.com/world/middle-east/attacks-by-israeli-settlers-surge-as-west-bank-tensions-boil/2019/02/17/5c69f176-2a30-11e9-906e-9d55b6451eb4_story.html?noredirect=on&utm_term=.21aa3904be34.
- 13 Abier Almasri, *Why the Gaza Protests Won't Stop*, Human Rights Watch (Mar. 29, 2019), <https://www.hrw.org/news/2019/03/29/why-gaza-protests-wont-stop>.
- 14 United Nations Human Rights Council, *Report of the Detailed Findings of the Independent International Commission of Inquiry on the Protests in the Occupied Palestinian Territory* (Mar. 18, 2019), available at <https://www.ohchr.org/EN/HRBodies/HRC/CoIOPT/Pages/OPT.aspx>.
- 15 Miriam Berger, *Israel's Hugely Controversial "Nation-State" Law, Explained*, Vox (Jul. 31, 2018), <https://www.vox.com/world/2018/7/31/17623978/israel-jewish-nation-state-law-bill-explained-apartheid-netanyahu-democracy>.
- 16 Mark Landler, *In Trump, Netanyahu Sees an Ally Who Helps Him Push the Envelope*, N.Y. Times (Apr. 8, 2019), <https://www.nytimes.com/2019/04/08/us/politics/benjamin-netanyahu-donald-trump.html>.
- 17 Ron Kampeas, *Trump Team's Middle East Peace Plan is Beginning to Look a Lot Like One State*, Times of Israel (Mar. 21, 2019), <https://www.timesofisrael.com/trump-teams-middle-east-peace-plan-is-beginning-to-look-a-lot-like-one-state>.
- 18 Chris Riotta, *Jared Kushner Failed to Disclose He Led a Foundation Funding Illegal Israeli Settlements Before UN Vote*, Newsweek (Dec. 3, 2017), <http://www.newsweek.com/jared-kushner-disclosure-form-west-bank-settlements-israel-white-house-729290>.
- 19 Peter Beaumont, *Trump's Ambassador to Israel Refers to 'Alleged Occupation' of Palestinian Territories*, The Guardian (Sept. 1, 2017), <https://www.theguardian.com/us-news/2017/sep/01/trump-ambassador-israel-david-friedman-alleged-occupation-palestinian-territories>.
- 20 Alex Ward, *John Bolton's Obsession with Fighting Iran is Making Trump Policy More Dangerous*, Vox (Jan. 14, 2019), <https://www.vox.com/world/2019/1/14/18181962/iran-news-bolton-strike-pentagon-trump-mattis>.
- 21 Shibley Telhami, *Americans Are Increasingly Critical of Israel*, Foreign Policy (Dec. 11, 2018), <https://foreignpolicy.com/2018/12/11/americans-are-increasingly-critical-of-israel>. See also Arab American Institute, *American Attitudes*

Towards Arabs, Muslims, Immigration, Civil Rights, Hate Crimes, and the Israeli-Palestinian Conflict (Dec. 5, 2017), available at <https://www.aaiusa.org/american-attitudes-towards-arabs-muslims-immigration-civil-rights-hate-crimes-and-the-israeli-palestinian-conflict-2017>.

22 Shibley Telhami and Katayoun Kishi, *The Foreign Policy Essay: The Prisms Through Which Americans View the Middle East*, Lawfare (Feb. 1, 2015), <https://www.lawfareblog.com/foreign-policy-essay-prisms-through-which-americans-view-middle-east>.