

MEMMO

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Suspend Aid to the Palestinians

Over the last year, Palestinian Authority (PA) President Mahmoud Abbas has pursued a series of counterproductive moves aimed at attacking and pressuring Israel in international fora. Rather than sit at the negotiating table, the Palestinians – through Jordan – put forward a resolution to the U.N. Security Council (UNSC) in December that sought to impose a predetermined outcome while ignoring key Israeli concerns. On Dec. 31, Abbas initiated a process intended to lead to war crimes charges against Israel at the International Criminal Court (ICC). In response to these actions the U.S. should suspend aid to the Palestinian Authority. The United States should continue to press the Palestinians to return to direct bilateral negotiations with Israel as the only path to ultimately achieve peace.

Harmful Palestinian moves at the ICC only hinder prospects for peace.

- On Dec. 31, the Palestinians initiated steps to pursue war crimes charges against Israel. Abbas signed 20 international treaties and conventions, including the Rome Statute of the ICC. U.N. Secretary-General Ban Ki-Moon indicated that the PA will join the ICC on April 1.
- The Palestinians also submitted a declaration to the ICC in The Hague accepting the ICC's jurisdiction beginning on June 13, 2014, the day after Palestinian terrorists kidnapped and murdered three Israeli teenagers.
- U.S. law states that economic aid to the PA must be stopped if “the Palestinians initiate an International Criminal Court judicially authorized investigation, or actively support such an investigation, that subjects Israeli nationals to an investigation for alleged crimes against Palestinians.”
- Sens. Marco Rubio (R-FL) and Kirsten Gillibrand (D-NY) co-authored a letter to Secretary of State John Kerry, signed by 75 senators, criticizing the Palestinian decision to seek membership in the ICC and calling for a suspension of aid to the PA pending a review of their actions.
- In response to Palestinian moves at the ICC, the administration is reviewing aid to the Palestinian Authority. Joining the ICC “is entirely counterproductive and does nothing to further the aspirations of the Palestinian people for a sovereign and independent state,” said State Department spokeswoman Jen Psaki.



PA President Mahmoud Abbas took the first steps to prosecuting Israelis at the ICC.

The Palestinians are attempting to bypass direct negotiations by imposing solutions on Israel.

- On Dec. 17, Jordan, on behalf of the Palestinians, introduced a one-sided UNSC resolution that completely adopts Palestinian terms – including an Israeli withdrawal from the entire West Bank and parts of Jerusalem by the end of 2017 – irrespective of the security situation or Israeli claims.
- Measures such as this violate the fundamental principle of the Israeli-Palestinian Oslo Accords, in which both sides committed to resolving final status issues bilaterally, through direct negotiations.
- The bid ultimately failed, but the Palestinians are threatening to reintroduce the resolution now that the make-up of the UNSC is likely to be friendlier to their objectives. The U.S. must make clear its opposition to this harmful PA proposal, and should use its veto power if any one-sided resolution is put to a vote.

Direct bilateral talks are the only viable path for achieving an enduring solution to the Israeli-Palestinian conflict.

- A deal can only work if both parties enter it willingly, feel vested in it, and intend to implement it. Without buy-in from the two parties and the publics they represent, no accord will be viable.
- Outside of a negotiated settlement, international recognition of Palestinian rights at Israel's expense only encourages Palestinian obstinacy and refusal to return to the negotiating table.
- On Dec. 31, in response to the failed Palestinian UNSC resolution, U.S. Ambassador to the U.N. Samantha Power said, "We voted against this resolution ... because... peace must come from hard compromises that occur at the negotiating table."
- As President Obama said during his 2012 trip to Israel, "There is no question that the only path to peace is through negotiations – which is why ... the United States will oppose unilateral efforts to bypass negotiations through the United Nations. It has to be done by the parties."
- On Oct. 21, U.N. Secretary-General Ban Ki-moon said, "Leaders on both sides must overcome their differences and dispense with the unilateral initiatives that serve only to fuel mistrust and polarization."

To enhance the prospects for peace, the United States should remain committed to the principles that guided previous negotiations.

- Talks must be direct and bilateral. A solution cannot be imposed on the parties.
- The U.S. must support and work closely with Israel.
- Disagreements should be worked out privately.
- Both sides must be willing to make key compromises.
- The U.S. must encourage Arab nations to play a supporting role.

The United States should suspend aid to the Palestinian Authority.

- In response to Palestinian actions at the ICC, the U.N. Security Council and their refusal to engage in direct negotiations with Israel, the U.S. should suspend aid to the Palestinian Authority.
- The United States must remind the Palestinians that the most viable path to peace is through bilateral negotiations – not through unilateral approaches to international bodies such as the ICC and U.N.