

Congress of the United States
Washington, DC 20510

[[DATE]]

The Honorable Joseph R. Biden, Jr.
The White House
1600 Pennsylvania Avenue
Washington, DC 20500

The Honorable Antony Blinken
Department of State
2201 C St. NW
Washington, DC 20520

Dear President Biden and Secretary Blinken,

We write to you with deep concern regarding the rapidly escalating violence in the occupied Palestinian West Bank and the alarming actions of the new extreme right-wing Israeli government. We urge immediate action to prevent the further loss of Israeli and Palestinian lives. At this inflection point, we ask your administration to undertake a shift in U.S. policy in recognition of the worsening violence, further annexation of land, and denial of Palestinian rights. Only by protecting democracy, human rights, and self-determination for all Palestinians and Israelis can we achieve a lasting peace.

Prime Minister Benjamin Netanyahu's government includes far-right, anti-Palestinian individuals and parties. Minister of National Security Itamar Ben Gvir openly encourages and praises violence against Palestinians. Finance Minister Bezalel Smotrich responded to the recent Israeli settler attacks on the Palestinian town of Huwara in the occupied West Bank by declaring that the whole town should be “wiped out.”¹ Their presence in the government has made this the most far-right, illiberal government in Israel’s history. True to their records, these figures are pushing repressive, anti-democratic policies and escalating violence towards the Palestinian population.

Shocking violence in late February encapsulated the bloody reality in the occupied West Bank. On February 22, a daytime raid by the Israeli army into the crowded Palestinian city of Nablus killed 11 Palestinians, among them a 72 year-old-man and a 16-year-old child.² On February 26, a Palestinian gunman shot dead two Israeli settlers outside of Nablus. Subsequently, hundreds of Israeli settlers attacked the Palestinian town of Huwara. The settlers, accompanied by the Israeli

¹ Axios, March 1, 2023: U.S. says Israeli minister’s call to wipe out Palestinian town is “disgusting”. Available at <https://www.axios.com/2023/03/01/hawara-israeli-smotrich-wipe-out-west-bank-settlers>

² See for example: Washington Post, March 10, 2023: *3D analysis shows how Israeli troops fired into group of civilians*. Available at: <https://www.washingtonpost.com/investigations/interactive/2023/palestine-shooting-nablus-videos/>. See also: New York Times, March 1, 2023: *How an Israeli Raid on A Safe House Ended with Civilians Killed*. Available at: <https://www.nytimes.com/2023/03/01/world/middleeast/israel-palestinian-safe-house-raid.html>

army, set fire to homes, schools, vehicles, and businesses, killing one Palestinian and injuring over 300 Palestinians.³ The local Israeli military commander called the attack a “pogrom.”⁴ The attack was not an isolated incident, with the State Department reporting that Israeli settler attacks have expanded in severity and scale.⁵ The day after the Huwara attack, an Israeli-American citizen Elan Ganeles was killed by a Palestinian gunman on a highway in the occupied West Bank.

This comes amid an already violent year. Israeli forces and settlers have killed over 85 Palestinians⁶ in 2023, including 16 children.⁷ At least 14 Israelis have been killed,⁸ including two children.⁹ The previous year was the deadliest for Palestinians in the occupied West Bank since 2004 and included the Israeli military’s killings of two American citizens, Shireen Abu Akleh and Omar Assad.¹⁰

This Israeli government's anti-democratic mission to dismantle the rule of law is a threat to Israelis and Palestinians alike. In addition to explicitly hateful, anti-Palestinian policies, this government is attempting to destroy the independent Israeli judiciary. This move would threaten the rights of all citizens of Israel, enable more corruption by Prime Ministers, and open the path towards further annexation of Palestinian lands.

We are deeply concerned by Israeli government moves that demonstrate that illegal de facto and de jure annexation of the occupied West Bank is well underway. For example, on February 12, the Israeli government, over U.S. objections, authorized nine settlement outposts in the occupied

³ The Guardian, February 27, 2023: *‘Never like this before’: settler violence in West Bank escalates*. Available at: <https://www.theguardian.com/world/2023/feb/27/israeli-settler-violence-in-west-bank-escalates-huwara>

⁴ Reuters, March 1, 2023: Israel arrests suspects in settler rampage described by general as 'pogrom'. Available at: <https://www.reuters.com/world/middle-east/israel-arrests-suspects-settler-rampage-described-by-general-pogrom-2023-03-01/>

⁵ Last month, the Department of State released its [2021 Country Reports on Terrorism](#), noting that Israeli settler attacks had expanded in severity and scale. The State Department also noted that “Israeli security personnel often did not prevent settler attacks and rarely detained or charged perpetrators of settler violence.” Department of State, February 2023: *Country Reports on Terrorism 2021: Israel, West Bank, and Gaza*. Available at: <https://www.state.gov/reports/country-reports-on-terrorism-2021/israel>

⁶ ABC News, March 23, 2023: Palestinian killed in Israeli military raid in West Bank. Available at:

<https://abcnews.go.com/International/wireStory/palestinian-killed-israeli-military-raid-west-bank-98065983>

⁷ Defense for Children International - Palestine, March 16, 2023: Israeli special forces shoot, kill Palestinian boy riding his bike in Jenin. Available at:

https://www.dci-palestine.org/israeli_special_forces_shoot_kill_palestinian_boy_riding_his_bike_in_jenin

⁸ Washington Post, March 12, 2023: 3 Palestinian militants killed in attack on Israeli troops. Available at: https://www.washingtonpost.com/world/2023/03/12/israel-palestinians-shooting-violence-west-bank/67ed3a10-c0a1-11ed-9350-7c5fccd598ad_story.html

⁹ CNN, February 12, 2023: Second child dies in car ramming attack in Jerusalem. Available at:

<https://www.cnn.com/2023/02/10/middleeast/jerusalem-car-ramming-intl/index.html>

¹⁰ B’Tselem, January 8, 2023. The Occupied Territories in 2022: largest number of Palestinians killed by Israel in West Bank since 2004. Available at:

https://www.btselem.org/press_releases/20230108_the_occupied_territories_in_2022_largest_number_of_palestinians_killed_by_israel_in_the_west_bank_since_2004

West Bank in violation of international law.¹¹ A little over a week later, following a U.N. Security Council statement criticizing Israeli settlement expansion, the government announced the approval of over 7,000 new settlement homes.¹² Furthermore, Israeli legal experts deem the government's decision to transfer most governing authority in the occupied West Bank from the military to a civilian minister, Finance Minister Smotrich, to be a form of annexation – a move your administration has warned against.^{13 14}

Many of us have previously written to your administration with deep concern regarding the entrenched Israeli military occupation of the Palestinian Territories, including the occupation and military siege of Gaza, and the Israeli government's worsening systemic violations of Palestinian human rights. Those concerns have only deepened and grown more urgent under the new Israeli government.

We know your administration has met repeatedly with Israeli officials to reiterate U.S. support for "equal measures of freedom, dignity, security and prosperity" for both Israelis and Palestinians. Unfortunately, these good faith entreaties have had no effect. Furthermore, despite massive street protests and a general strike, the Israeli government has merely delayed its judicial overhaul for a short time, and none of the agreements reached this week will lessen the systemic violence against Palestinians, including annexation of Palestinian land. The Israeli government's actions are in clear violation of international law and commitments made to the U.S.; its agenda will further devastate Palestinian communities and heighten tension with violent consequences for both Palestinians and Israelis. Only clear steps to change political conditions will pave the way for peace.

As such, we call on your administration to promptly:

- Ensure U.S. taxpayer funds do not support projects in illegal settlements;
- Determine whether U.S.-origin defense articles have been used in violation of existing U.S. laws, including for a purpose not authorized by Section 4 of the Arms Export Control Act (22 U.S.C. § 2754) or to commit or support gross violations of human rights by the Israeli government in violation of Section 502B(a)(2) of the Foreign Assistance Act (22 U.S.C. § 2304(a)(2)) and the U.S. "Leahy Laws," Section 620M of the Foreign Assistance Act (22 U.S.C. § 2378d and 10 U.S.C. § 362).

¹¹ Reuters, February 12, 2023: Israel authorizes West Bank outposts, despite U.S. admonition. Available at: <https://www.reuters.com/world/middle-east/israel-authorises-west-bank-outposts-despite-us-admonition-2023-02-12>

¹² PBS News Hour, February 23, 2023: Israel approves over 7,000 settlement homes in West Bank, groups say. Available at:

<https://www.pbs.org/newshour/world/israel-approves-over-7000-settlement-homes-in-west-bank-groups-say>

¹³ Ha'aretz, January 26, 2023: Granting West Bank Authority to Smotrich is De Facto Annexation, Legal Experts Say. Available at:

<https://www.haaretz.com/israel-news/2023-01-26/ty-article/.premium/granting-west-bank-authority-to-smotrich-is-d-e-facto-annexation-legal-experts-say/00000185-ed38-d532-abdd-edbc1b220000>

¹⁴ Association for Civil Rights in Israel, February 23, 2023: https://twitter.com/acri_online/status/1628835829199110147

Furthermore, we call on your administration to ensure that all future foreign assistance to Israel, including weapons and equipment, is not used in support of gross violations of human rights, including by strengthening end-use monitoring and financial tracking. We ask that you respond with a detailed plan as to how the administration plans to achieve that goal.

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