

**Reasons for the lack of confidence of the Palestinian
people in the United States of America, which supports
the occupation**

National Factions and Jerusalem Institutions

Palestinians and Israelis have entered into numerous negotiations and agreements under U.S. sponsorship; however, over thirty years, successive Israeli governments have repudiated the implementation of these agreements. Since its establishment, Israel has enacted a set of laws that guarantee its sovereignty and Jewishness and stripped Palestinians of all their rights, seized their land, and deprived them of the right to return, expelling them and destroying homes and villages in their entirety, populating the land with settlers, and violating the sanctity of holy sites, including dividing Al-Ibrahimi Mosque and attacking the blessed Al-Aqsa Mosque in an attempt to change the status quo.

And yet, where is Israel in terms of agreements and international obligations? Why the Palestinian dont trust the United States of America'?

Since World War II, Israel has been the largest cumulative recipient of U.S. foreign assistance. Successive Administrations, working with Congress, have provided Israel with significant assistance in light of robust domestic U.S. support for Israel and its security; shared strategic goals in the Middle East historical ties dating from U.S. support for the creation of Israel in 1948. The United States has recently provided Israel with \$150 billion in bilateral assistance and missile defense funding. Currently, almost all U.S. bilateral aid to Israel is in the form of military assistance; from 1971 to 2007, Israel also received a significant economic contribution.

On the Palestinian level, Since the founding of the Palestinian Authority:

Since the founding of the Palestinian Authority, U.S. policy towards Palestinians has focused on encouraging the peaceful resolution of the Israeli-Palestinian conflict and assisting Palestinians in governance and economic development. Congress has appropriated more than \$5 billion in bilateral assistance to the Palestinians, who rely heavily on aid from external donors. Since 1994, the United States and U.S. civil society organisations have given over \$5 billion. This aid has been a key part of U.S. policy to encourage the Israeli-Palestinian peace process and improve life for residents of the West Bank and the Gaza strip. Since 1950, total U.S. contributions to UNRWA through global humanitarian accounts have totalled more than \$6 billion.

Nonetheless, the United States of America has not been fair in resolving the conflict between Palestinians and Israelis; in fact, it has been the direct cause of the protection of Israel from international accountability for its violations, killings, and occupation of Palestinian territory, in the following ways:

U.S. Interventions Preventing the Prosecution of Israel

First-The International Criminal Court (ICC):

U.S. administrations, especially the Trump administration, have repeatedly threatened to halt the ICC investigation in Palestine. On June-02-2020, then-American Secretary of State Michael Pompeo announced the administration's determination to prevent the ICC from prosecuting Israel. During an interview with the American Enterprise Institute think tank podcast, Pompeo declared that: 'We are determined to prevent having...our friends and allies in Israel hauled in by this corrupt ICC.' He went on to say at a press availability that 'Given Israel's robust civilian and military legal system and strong track record of investigating and prosecuting wrongdoing by military personnel, it's clear the ICC is only putting Israel in its crosshairs for nakedly political purposes.'

On June 11th, 2020, then-American President Trump issued Executive Order 13928 Blocking Property of Certain Persons Associated with the International Criminal Court. In 2019, the United States revoked ICC prosecutor Fatou Bensouda's entry visa in retaliation for what was then an investigation into possible war crimes. On 15-05-2020, Pompeo vowed 'exact consequences' if the ICC 'continues down its current course'-that is, if the court moves forwards with an investigation in Palestine.

And on 2-09-2020, the United States imposed sanctions on Bensouda and another senior prosecution official, Phakiso Mochochoko. Bensouda, a national of Gambia, and Mochochoko, a national of Lesotho, were added to the Specially Designated Nationals and Blocked Persons List (the SDN) by the powers vested in Executive Order 13928. This decision included subjecting anyone who provides 'services' to designated people to civil and criminal penalties (a criminal fine of up to \$1,000,000, and for individuals, up to 20 years in person) as enacted by the U.S. Attorney General or Assistant Attorney General. The United States seeks to impose tangible and significant consequences on ICC officials,

which includes suspending the entry into the United States of ICC officials, staff, agents, and their immediate family members; denying them entry demonstrates the determination of the United States to oppose the ICC for seeking to exercise jurisdiction over U.S. personnel and its ally Israel.

Second- Draft UN Security Council Resolutions vetoed by the United States:

The United States, one of the states which enjoy veto power, has been and continues to stand in the way of the adoption of several resolutions by the UN Security Council condemning Israel for its ongoing violations against the Palestinian people. Israel has been granted over forty vetoes protecting it from accountability, detailed in the attached Table 1:

**Draft Security Council resolutions that the United States of America has vetoed
The American veto and the Palestinian cause, historical stations**

The Palestinian issue occupied the most prominent place in the meetings and deliberations of the U.N. Security Council; This issue is still the most discussed in the corridors of the United Nations, since Partition Resolution 181 on April 29, 1947, until today. The United States of America, one of the countries that enjoy the right of veto, was and still stands as an obstacle to the adoption by the U.N. Security Council of many resolutions condemning Israel, and it stands by the Palestinian right. The following are draft resolutions submitted to the U.N. Security Council relating to the Palestinian issue and which the United States of America vetoed:

Draft Security Council resolutions related to the Palestinian issue, the United States of America has vetoed it.

The Content of the Draft Resolution	Veto date	Draft No.
A draft resolution on the establishment of an international mission to protect the Palestinians submitted by the State of Kuwait after dozens of Palestinians were killed by Israeli army during demonstrations on the border between Gaza and Israel following the transfer of the United States to its embassy in Jerusalem	2018/6/1	S/2018/516
A draft resolution confirms that any decisions or measures aimed at changing the character, status, or demographic composition of the Holy City of Jerusalem have no legal effect; It is completely null and must be rescinded in compliance with relevant Security Council resolutions; In this regard, it calls on all states to refrain from establishing diplomatic missions in the city of Jerusalem, pursuant to Security Council Resolution 478 of 1980.	2017/18/12	S /2017/1060

A draft resolution calling for: the declaration of a Palestinian state and end to the occupation within two years.	2014/30/12	S /2014/916
A draft resolution condemning settlement operations since 1967 in the West Bank and Jerusalem and considering them illegal; It calls on Israel to stop settlement activities, and considers settlements a major obstacle to achieving a just and lasting peace.	2011/18/2	S/2011/24
A draft resolution condemns Israel's massacre in Beit Hanoun in the Gaza Strip.	2006/11/10	S/2006/878
A draft resolution condemning the military attack launched by Israel (the occupying Power) in the Gaza Strip ;and demands the immediate and unconditional release of the kidnapped Israeli soldier ;that Israel immediately and unconditionally release all Palestinian ministers, members of the Palestinian Legislative Council, and other detained Palestinian officials ; As well as for other Palestinian civilians illegally detained.	2006/13/7	S/2006/508
A draft resolution condemns Israeli military operations in the northern Gaza Strip and demands its withdrawal from the area.	2004/5/10	S/2004/783
A draft resolution condemning (Israel) for its assassination of the founder of the Islamic Resistance Movement (Hamas), Sheikh Ahmed Yassin.	2004/3/25	S/2004/240
A draft resolution calls for stopping and canceling the separation wall that Israel is building, and considers it illegal.	2003/14/10	S/2003/980
A draft resolution demands that Israel (the occupying Power) refrain from any act of deportation and stop threatening the safety of elected Palestinian President Yasser Arafat.	2003/9/16	S/2003/891
Draft resolution condemning the killing of several U.N. staff members by Israeli forces; In addition to its deliberate destruction of a World Food Program warehouse in the occupied Palestinian territories at the end of November.	2002/12/20	S/2002/1385
A draft resolution calling on Israel to immediately stop all acts of violence, provocation and destruction, and to return to pre-September 2000 sites and arrangements; It condemns all actions targeting civilians, and calls for the resumption negotiations between the two sides.	2001/14/12	S/2001/1199
A draft resolution reaffirming that Israel (the occupying Power) must comply strictly with the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War; and calls for the immediate cessation of all acts of violence, provocation and collective punishment; and to restore the situation to the conditions and arrangements that existed prior to September 2000.	2001/3/27	S/2001/270
Draft resolution demanding that Israel immediately stop building the Jabal settlement in East Jerusalem and all other Israeli settlement activities in the occupied territories.	1997/21/3	S/1997/241
A draft resolution affirming that the settlements are illegal and constitute a serious obstacle to the peace process, And demands (Israel) to stop its settlement activities.	1997/3/7	S/1997/199

Draft resolution deems land confiscation in East Jerusalem invalid ;and demands the annulment of the confiscation orders ;It calls on Israel to refrain from such action in the future.	1995/5/17	S/1995/394
A draft resolution to send an international commission to the occupied Arab territories to investigate the facts about the repressive Israeli practices against the Palestinian people ;It submits its report to the Security Council.	1990/31/5	S/21326
A draft resolution condemning Israeli practices in the occupied territories, denouncing Israel's siege of cities and the looting of residents' homes, as happened in Beit Sahour ;It demands that the illegally confiscated property be returned to its owners.	1989/11/7	S/20945/Rev.1
draft resolution condemning (Israel); Because of its repressive policy in the occupied territories; demands that it stop deporting the Palestinians and the return of the deportees; And asks her to allow the opening of the Palestinian schools, which she closed.	1989/6/9	S/20677
A draft resolution strongly denounced Israel's continued policies and practices against the Palestinian people in the Palestinian territories occupied since 1967, including Jerusalem, in particular the violation of human rights, and in particular, the shooting that resulted in the injury and death of Palestinian civilians, including children.	1989/2/17	S/20463
A draft resolution condemns the Israeli air and ground aggression on Lebanese territory and strongly demands that Israel immediately cease all its attacks; and to full respect for Lebanon's sovereignty, independence, unity and territorial integrity within its internationally recognized borders.	1988/14/12	S/20322
A draft resolution condemning the Israeli invasion of southern Lebanon ;and reiterates the call for Israel to withdraw immediately from Lebanese territory ;It calls for the cessation of all actions that violate Lebanon's sovereignty and the security of its civilian population.	1988/5/10	S/19868
A draft resolution urging Israel (the occupying Power) to immediately and scrupulously comply with the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949, and to immediately cease its policies and practices that are in violation of the provisions of the Convention ;It further urges it to rescind the order to deport Palestinian civilians, and to ensure the safe and immediate return to the Occupied Palestinian Territories of those who have already been deported.	1988/15/4	S/19780
A draft resolution calling on Israel to immediately cease its policies and practices that violate Palestinian human rights.	1988/2/1	S/19466
A draft resolution strongly condemns Israel's repeated attacks on Lebanese territory and all other measures and practices it takes against the civilian population.	1988/1/18	S/19434
A draft resolution condemns the Libyan passenger plane hijacking (Israel).	1986/2/6	S/17796/Rev.1
The draft resolution strongly condemning the continued refusal of Israel (the occupying Power) to comply with Security Council resolutions; And	1986/1/30	S/17769/Rev.1

expresses its strong dissatisfaction with the provocative actions that violated the sanctity of the Holy Mosque in Jerusalem.		
A draft resolution strongly condemning Israeli acts of violence against the civilian population in southern Lebanon and demanding that Israel withdraw all its military forces immediately and unconditionally to the internationally recognized borders of Lebanon.	1986/1/17	S/17730/Rev.2
A draft resolution condemning the repressive Israeli practices against the Palestinians and calling on Israel (the occupying Power) to immediately stop all repressive measures, including curfews, administrative detention and forced deportation, and to release all detainees.	1985/13/9	S/17459
A draft resolution condemning the Israeli practices in southern Lebanon.	1985/3/12	S/17000
Draft resolution calls on Israel to respect the sovereignty and independence of Lebanon, and affirms that the provisions of the Fourth Geneva Convention of 1949 apply to the territories occupied by Israel in southern Lebanon, the Bekaa Valley and the Rashaya district	1984/9/6	S/16732
Against a draft resolution strongly condemning the construction of settlements, considering them illegal, and condemns attacks against the civilian population, particularly the killing and wounding of students at Hebron University on July 26, 1983.	1983/8/2	S/15895
Draft resolution condemning Israel's failure to implement Security Council resolutions 516 and 517 of 1982; It calls on states not to provide Israel with weapons and any military aid, until it complies with these resolutions and withdraws entirely from Lebanese territory.	1982/8/6	S/15347/Rev.1
A draft resolution calling for the immediate withdrawal of the Israeli forces stationed around Beirut, to a distance of 10 kilometers from the city's vicinity, as a first step towards the complete withdrawal of Israeli forces from Lebanon.	1982/6/26	S/15255/Rev 2
A draft resolution condemning the Israeli invasion of Lebanon, calling on Israel to withdraw its forces from Lebanon, and condemning non-compliance with Resolutions 508 and 509 of 1982 ;It demands a cessation of hostilities within 6 hours.	1982/6/8	S/15185
In the strongest terms, a draft resolution condemns the horrific acts of sacrilege committed by (Israel) inside the courtyard of the Noble Sanctuary.	1982/20/4	S/14985
Draft resolution condemning the dismissal of elected mayors by the Israeli authorities ;He calls for the reinstatement of the elected municipal council in Al-Bireh, the mayor of Nablus, and the mayor of Ramallah.	1982/4/2	S/14943
A draft resolution strongly condemning Israel for its failure to comply with Security Council Resolution 497 (1981) and General Assembly Resolution 36/226 (b) ;(1981) Decides that Israeli actions in the occupied Syrian Golan Heights, which culminated in Israel's decision of 14 December 1981, to impose its laws, authority and administration on the occupied Syrian Golan Heights, are considered an act of aggression under the provisions of Article 39 of the Charter of the United Nations.	1982/20/01	S/14832/Rev.1

A draft resolution stipulating that the Palestinian people exercise their legitimate rights.	1980/30/4	S/13911
A draft resolution affirming the inalienable rights of the Palestinian people to self-determination, including the right to return, national independence and sovereignty in Palestine, in accordance with the Charter of the United Nations.	1976/6/29	S/12119
A draft resolution calling on Israel to respect the sanctity of the holy places it occupies ;refraining from confiscating or assaulting Arab land and property, or from establishing Israeli settlements in the occupied Arab territories ;refrain from any other actions and policies aimed at changing the legal status of the City of Jerusalem ;And cancel the measures taken in this direction.	1976/3/25	S/12022
A draft resolution affirming that the Palestinian people must be empowered to exercise their inalienable national right to self-determination, including the right to establish an independent state in Palestine in accordance with the Charter of the United Nations ;the right of Palestinian refugees to return ;Israel must withdraw from all Arab territories occupied since June 1967.	1976/1/26	S/11940
A draft resolution condemning the Israeli air strikes on Lebanon, and calling on Israel to immediately stop striking Lebanon, and to respect its territorial integrity.	1975/12/8	S/11898
A draft resolution strongly condemning Israel's continued occupation of the occupied territories as a result of the 1967 conflict, in contravention of the principles of the Charter ;It reaffirms its Resolution No. 242 (1967), of November 22, 196	1973/26/7	S/10974

Third- U.S. Congress Approved Laws to Protect Israel

Congress passed over 334 laws in favour of Israel. These decisions were a flagrant violation of international laws and an attack on the rights of Palestinians. Most notable among these decisions are the recognition of Jerusalem as the capital of Israel, laws ensuring Israel's qualitative military superiority in the Middle East, and unlimited support for Israel's policies in the Arab region, whether political, economic, or military.

***Table 2 below shows a few of these laws passed by Congress**

Law No.	Date	Draft Law Content
H.Res. 11-115th Congress	2017-2018	Objection to United Nations Security Council Resolution 2334 as an obstacle to Israeli-Palestinian peace, and for other purposes.

		<p>Whereas it is the long-standing position of the United States to oppose and, if necessary, veto United Nations Security Council resolutions dictating additional binding parameters on the peace process;</p> <p>Whereas it is the long-standing position of the United States to oppose and, if necessary, veto one-sided or anti-Israel resolutions at the United Nations Security Council;</p> <p>Whereas the United States has defended Israel in international forums, including vetoing resolutions in 2011, 2006, 2004, 2003, 2002, 2001, 1997, and 1995 before the United Nations Security Council...</p>
H.Res. 293-114th Congress	2015-2016	<p>Expressing concern over anti-Israel and anti-Semitic incitement within the Palestinian Authority:</p> <ul style="list-style-type: none"> • Whereas this incitement takes on many forms and has included the glorification of terrorists who have murdered Israeli civilians • Advocating struggle against Israel despite entering into negotiations with Israel • The demonization of Jews and Israelis, including the use of anti-Semitic motifs • The denial of Israel’s existence and its delegitimization as evidenced by the absence of Israel on official maps used in Palestinian Authority institutions • False claims that Israel or the Jews are endangering Muslim holy sites, such as the Al-Aqsa mosque/Temple Mount in Jerusalem; • Whereas in June 2013, Abbas referenced Israeli acts which “indicate an evil and dangerous plot to destroy Al-Aqsa and build the alleged temple”; • Whereas on September 16, 2015, Abbas stated on Palestinian television that “we welcome every drop of blood spilled in Jerusalem. This is pure blood, clean blood, blood on its way to Allah. With the help of Allah, every martyr will be in heaven, and every wounded will get his reward”; • Whereas since mid-September 2015 there has been a wave of Palestinian violence in Israel and the West Bank, including stabbings, shootings, and other terrorist acts...
S.1322-104 th Congress Public Law 104–45	NOV 8, 1995	<p>Jerusalem is the capital of Israel. The law states that Jerusalem is the capital of the State of Israel and calls for Jerusalem to remain an undivided city. Details of the bill:</p> <p>This bill states that it is U.S. policy to recognize Jerusalem as the undivided capital of Israel. The bill expresses Congress’s sense of the following:</p> <ol style="list-style-type: none"> 1. The United States must recognize the sovereign status of undivided Jerusalem as the capital of Israel; 2. Jerusalem should be recognized as the capital of Israel and moving the U.S. Embassy to Jerusalem from Tel Aviv will signal U.S. commitment to Israel; 3. The President and the State Department must assert, as U.S. Policy, that Jerusalem should remain the undivided capital of Israel;

		<p>4. The President must implement the provisions of the Jerusalem Embassy Act of 1995 and begin the process of moving the U.S. Embassy in Israel to Jerusalem;</p> <p>5. U.S. officials must refrain from actions that contravene U.S. law on the subject;</p> <p>6. The bill states that any official U.S. government document listing countries and their capitals must designate Jerusalem as Israel’s capital;</p> <p>7. The President will move the U.S. Embassy in Israel to Jerusalem by January 1st, 2019.</p> <p>The Jerusalem Act of 1995 was amended to revoke the Authority of the President, effective January 1st, 2018, to waive certain funding restrictions for the State Department’s purchase and maintenance of buildings abroad until the U.S. Embassy in Jerusalem is officially opened.</p>
H.R.4373	2022	Department of State, Foreign Operations, and Related Programs Appropriations Act, 2022, will provide \$3.3 billion to Israel under its foreign military financing program.
H.R. 4432 and S.3023	20222021-	Law H.R.4432, the Department of Defense Appropriations Act, 2022, and S.3023, A bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2022, and for other purposes, will provide \$500 million for the Israeli Cooperative Programs: <i>Provided</i> , That of this amount, \$108 million shall be for the Secretary of Defense to provide to the Government of Israel for the procurement of the Iron Dome defense system to counter short-range rocket threats, subject to the U.S.-Israel Iron Dome Procurement Agreement, as amended; \$157 million shall be for the Short Range Ballistic Missile Defense (SRBMD) program, including cruise missile defense research and development under the SRBMD program...as amended; \$62 million shall be for co-production activities of Arrow 3 Upper Tier systems and \$173 million shall be for the Arrow System Improvement Program.
H.Con.Res.370-109 th Congress	2017-2018	<ul style="list-style-type: none"> • Recognizes the independence of the State of Israel as a significant event in providing refuge and a national homeland for the Jewish people; • Extends warm congratulations to the people of Israel as they celebrate the 61st anniversary of Israel's independence; • Commends the bipartisan commitment of all United States administrations and United States Congresses since 1948 to stand by Israel and work for its security and well-being; <p>Congratulates the United States and Israel for the strengthening of bilateral relations in recent years in the fields of defense, diplomacy, and homeland security.</p>
H.R. 3979- 113 th Congress	Apr 5, 2006	<p>Expressing the sense of the Congress that:</p> <p>(1) Saudi Arabia should fully live up to its World Trade Organization commitments and end all aspects of any boycott on Israel;</p>

		(2) The President, the United States Trade Representative, and the Secretary of State should strongly urge the Government of Saudi Arabia to comply with its WTO obligations; and should urge Saudi Arabia to end any boycott on Israel.
H.R. 3979- 113 th Congress	2014	Of the funds authorized to be appropriated by section 1502 for procurement, Defense-wide, and available for the Missile Defense Agency, not more than \$350,972,000 may be provided to the Government of Israel to procure the Iron Dome short-range rocket defense system as specified in the funding table in section 4102
H.R.5323-117th Congress	2021	For an additional amount for “Procurement, Defense-Wide”, \$1,000,000,000, to remain available until September 30, 2024, for the Secretary of Defense to provide to the Government of Israel for the procurement of the Iron Dome defense system to counter short-range rocket threats: <i>Provided</i>, That such funds shall be provided to address emergent requirements in support of Operation Guardian of the Walls.
H.R. 1837 - 116th Congress	October 24, 2017	To make improvements to certain defense and security assistance provisions and to authorize assistance for Israel, and other purposes. Any activities carried out pursuant to such authority shall be conducted in a manner that appropriately protects sensitive information and the national security interests of the United States and the national security interests of Israel.
H.R. 1164-115th Congress: Taylor Force Act.	2017	§2378c–1. Limitation on assistance to the West Bank and Gaza Funds authorized to be appropriated or otherwise made available for assistance under chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.; relating to Economic Support Fund) and available for assistance for the West Bank and Gaza that directly benefits the Palestinian Authority may only be made available for such purpose if, except as provided in subsection (d), not later than 30 days after March 23, 2018, and every 180 days thereafter, the Secretary of State certifies in writing to the appropriate congressional committees that the Palestinian Authority, the Palestine Liberation Organization, and any successor or affiliated organizations: (A) are taking credible steps to end acts of violence against Israeli citizens and United States citizens that are perpetrated or materially assisted by individuals under their jurisdictional control, such as the March 2016 attack that killed former United States Army officer Taylor Force, a veteran of the wars in Iraq and Afghanistan; (B) have terminated payments for acts of terrorism against Israeli citizens and United States citizens to any individual, after being fairly tried, who has been imprisoned for such acts of terrorism and to any individual who died committing such acts of terrorism, including to a family member of such individuals;

		<p>(C) have revoked any law, decree, regulation, or document authorizing or implementing a system of compensation for imprisoned individuals that uses the sentence or period of incarceration of an individual imprisoned for an act of terrorism to determine the level of compensation paid, or have taken comparable action that has the effect of invalidating any such law, decree, regulation, or document; and</p> <p>(D) are publicly condemning such acts of violence and are taking steps to investigate or are cooperating in investigations of such acts to bring the perpetrators to justice.</p>
H.R. 5916/201-110 th Congress	2016	<p>Howard Berman introduced legislation to ensure that “The President shall carry out an empirical and qualitative assessment on an ongoing basis of the extent to which Israel possesses a qualitative military edge over military threats to Israel.”</p>

Fourth- The Closing of the Palestinian Representative Office in the United States of America:

In 2018, the United States closed the Palestinian Representative Office in Washington, D.C. This was to the satisfaction of Israel and put pressure on the Palestinian Authority to accept the ‘Deal of the Century’, which robs the Palestinian people of all the necessities of life and hope for state-building and independence. The U.S. government’s closing of the office relied on Congress’s decision to designate the PLO as a terrorist organisation. This was a contradiction of the U.S. Constitution which grants the President ‘sole and unlimited authority to determine the nation’s foreign policy’; therefore if the President chooses to maintain diplomatic contact with the PLO and allow it to maintain a foreign mission in the United States of America, then Congress may not interfere with this choice by ordering the closure of the PLO office in Washington or by prohibiting the PLO from engaging in diplomatic activity authorised by the executive branch. As stated by Steven Engel, Assistant Attorney General for the Office of Legal Counsel, ‘if the President chooses to allow the PLO to pursue diplomatic endeavors in the United States, then Congress may not impede that decision. We advised that Congress could not require the Secretary of State to close the PLO’s Washington office or to prohibit the PLO from performing the diplomatic activities described in this opinion.’

Fifth-Moving the U.S. Embassy to Jerusalem and Recognising Jerusalem as Israel's Capital:

On 8-11-1995 U.S. law recognised Jerusalem as the unified capital of the State of Israel and called for Jerusalem to remain an undivided city east and west. U.S. lawmakers have called for the U.S. embassy to be moved to Jerusalem.

The results of this decision to move the embassy and recognise Jerusalem as the capital of Israel contravenes international law as well as commitments made by American presidents to treaties made to resolve the Palestine question. On Nov-08-1995, U.S. Congress issued a decision to transfer the U.S. Embassy to Jerusalem, the 'Jerusalem Embassy Act of 1995 (Public Law No. 104-45)', based on seventeen clauses that include legal and historical abuses and fallacies, violating international law and conventions. This law in its first clause stipulates that 'Each sovereign nation, under international law and custom, may designate its own capital', and that the United States of America recognises the legitimacy of international law which grants nations the right to choose their capital. On October 18th, the United States withdrew from the Optional Protocol to the 1961 Vienna Convention on Diplomatic Relations, with then-U.S. National Security Advisor John Bolton declaring that 'This is in connection with a case brought by the so-called State of Palestine naming the United States as a defendant, challenging our move of our embassy from Tel Aviv to Jerusalem.'

Sixth-Ending Funding to UNRWA to End Palestinian Refugees' Right of Return:

The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) was established following the 1948 Arab-Israeli Conflict to carry out direct relief and works programmes for Palestinian refugees. UNRWA began operations in May 1950 and its mandate has been repeatedly renewed since then. The agency currently supports more than five million people in Jordan, Lebanon, Syria, and the Occupied Palestinian territory (oPt). This support encompasses healthcare, education, and social services. The U.S. State Department announced that the United States had decided to cut all funding to UNRWA. The main objective of this move remains political: to eliminate the Palestinian refugee issue, starting with not acknowledging the issue in the first place.

This took place in the context of a U.S.-Israeli understanding aiming at resolving final status issues unilaterally and the total annihilation of the Palestinian cause.

U.S. Aid and Israel's Advanced Military Technology

Almost all current U.S. aid to Israel is in the form of military assistance. U.S. military aid has helped transform Israel's armed forces into one of the most technologically sophisticated militaries in the world. U.S. military aid also has helped Israel build its domestic defense industry, which now ranks as one of the top global arms exporters. Israeli defense companies, such as Israel Aerospace Industries (I.A.I.), Rafael, and Elbit Systems, export nearly 70% of their products. Israel exports missile defense systems, unmanned aerial vehicles, cybersecurity products, radar, and electronic communications systems to, among others: India, Azerbaijan, Japan, Kazakhstan, the Philippines, Singapore, South Korea, Thailand, Vietnam, Australia, the Czech Republic, Finland, France, Germany, Greece, Italy, Russia, Switzerland, the United Kingdom, Brazil, the United Arab Emirates, and the United States.

As Israel has become a global leader in certain niche defense technologies, Israeli defense exports to the U.S. market have grown substantially. According to one report, the U.S. military purchased \$1.5 billion worth of Israeli equipment in 2019, representing a five-fold increase from two decades before. In addition to the U.S. purchase of Iron Dome, the United States has purchased, among other items, the following Israeli defense articles:

- Trophy active protection systems for M1 Abrams tanks
- enhanced night vision goggles
- laser range finders for the U.S. Marines
- helmets for F-35 fighter pilots, wings for the F-35
- a system of towers, electronic sensors, radars, and cameras for use along the U.S.-Mexican border.

Qualitative Military Edge (Q.M.E.)

U.S. military aid for Israel has been designed to maintain Israel's "qualitative military edge" over neighboring militaries. The rationale for Q.M.E. is that Israel must rely on better equipment and training to compensate for being much smaller in land area and

population than most of its potential adversaries. For decades, successive Administrations, in conjunction with Congress, have taken measures to maintain Israel's Q.M.E. in a number of ways. For example,

1. U.S. arms sales policy has traditionally allowed Israel **first regional access** to U.S. defense technology.
2. In cases in which both Israel and an Arab state operate the same U.S. platform, Israel has first received either **a more advanced version** of the platform or the ability to **customize** the U.S. system.
3. In cases in which Israel objected to a major defense article sale to an Arab military (e.g., the 1981 sale of Airborne Early Warning and Control System aircraft or "AWACS" to Saudi Arabia), Congress has, at times, advocated for and legislated **conditions on the usage and transfer** of such weapons before or after a sale.
4. The United States compensated Israel by "balancing" packages of weapons and military aid when selling American defense materials to a military competitor in the Middle East, for example:
 - In 1992, after the United States announced a sale to Saudi Arabia of F-15 fighters, the George H.W. Bush Administration provided Israel with Apache and Blackhawk helicopters and pre-positioned U.S. defense equipment in Israel for Israeli use with U.S. approval.
 - In 2007, after the George W. Bush Administration agreed to sell Saudi Arabia Joint Direct Attack Munitions (JDAMs), the Administration reportedly agreed to sell more advanced JDAMs to Israel.
 - In 2010, the Obama Administration agreed to sell an additional 20 F-35 aircraft to Israel in response to a sale to Saudi Arabia that included F15s.
 - In 2013, after the Obama Administration agreed to sell the UAE advanced F-16 fighters, then Secretary of Defense Chuck Hagel announced that the United States would provide Israel with KC-135 refueling aircraft, anti-radiation missiles, advanced radar, and the sale of six V-22 Osprey tilt-rotor aircraft.⁴⁰ At the time, the U.S. proposal marked the first time that the United States had offered to sell tilt-rotor Ospreys to another country.

Israel would eventually cancel its planned purchase of the V-22 due to budgetary constraints.

Over time, Congress codified informal QME-related practices that encouraged a more deliberate interagency process for each major U.S. arms sale to Middle Eastern governments other than Israel.³⁴ In the 110th Congress, Representative Howard Berman sponsored legislation (H.R. 5916, Section 201) to "carry out an empirical and qualitative assessment on an ongoing basis of the extent to which Israel possesses a qualitative military edge over military threats." After becoming Chairman of the House Foreign Affairs Committee (HFAC), then-Chairman Berman incorporated this language into the Naval Vessel Transfer Act of 2008 (P.L. 110-429). The relevant Q.M.E. provisions of this law had three primary elements:

1. They defined Q.M.E.;
2. They required an assessment of Israel's Q.M.E. every four years; and
3. They amended the Arms Export Control Act (AECA, 22 U.S.C. §2776) to require a determination for any export of a U.S. defense article to any country in the Middle East other than Israel that such a sale would not adversely affect Israel's Q.M.E.

Lawmakers have amended or attempted to amend aspects of the 2008 law. The U.S.-Israel Strategic Partnership Act (P.L. 113-296) amended Section 36 of the AECA to require that the Administration explain, in cases of sales or exports of major U.S. defense equipment to other Middle Eastern states, what is "Israel's capacity to address the improved capabilities provided by such sale or export."⁴⁵ Most recently, in the 116th Congress, Representative Bradley Schneider sponsored (H.R. 8494), the Guaranteeing Israel's Q.M.E. Act of 2020, which would have required the President to consult with Israeli officials before making a Q.M.E. determination.

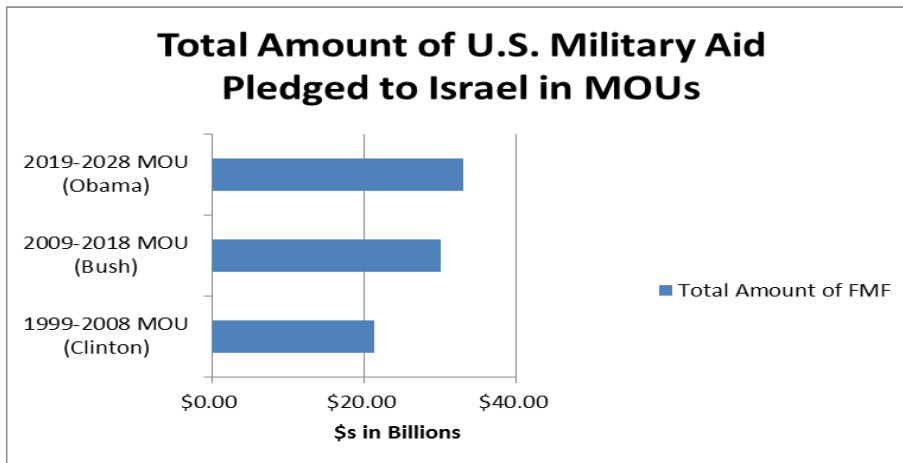
The Current 10-Year Security Assistance Memorandum of Understanding (M.O.U.)

At a signing ceremony at the State Department on September 14, 2016, representatives of the U.S. and Israeli governments signed another 10-year M.O.U. on military aid covering FY2019 to FY2028. Under the terms of this third M.O.U., the United States pledges,

subject to congressional appropriation, to provide \$38 billion in military aid (\$33 billion in F.M.F. grants, plus \$5 billion in defense appropriations for missile defense programs) to Israel. According to the M.O.U., “Both the United States and Israel jointly commit to respect the F.M.F. levels specified in this M.O.U., and not to seek changes to the F.M.F. levels for the duration of this understanding.”

Missile Defense. Under the terms of the third M.O.U., the Administration pledges to request \$500 million in annual combined funding for missile defense programs with joint U.S.-Israeli elements such as: Iron Dome, Arrow II and Arrow III, and David’s Sling.

Figure 2. U.S. Military Aid to Israel over Decades



Source: C.R.S. Graphics

Peace Agreements and Abraham’s Accords between Arab countries and Israel

Before 2020, the U.A.E. had no formal diplomatic relations with Israel. By 2020, the regional diplomatic environment presented a favorable opportunity to formalize the relationship. At the time, the U.A.E. had faced significant U.S. and other foreign criticism for its military interventions in Yemen and Libya, its use of spyware against domestic and foreign opponents,⁴⁸ and its isolation of fellow Gulf Cooperation Council (G.C.C.) member Qatar. At the same time, then Israeli Prime Minister Benjamin Netanyahu had

secured a pledge from his new partners in a coalition government to support Israeli annexation of parts of the West Bank, a move likely to be seen as inflammatory across the Arab world.⁴⁹

Within this context, the Trump Administration, Israel, and the U.A.E. jointly negotiated an Israel-UAE diplomatic normalization agreement during the summer of 2020 in exchange for Israel agreeing to suspend its annexation plans. In support of the set of bilateral agreements that came to be known as the “Abraham Accords,” the Trump Administration also pledged to sell to the U.A.E. the advanced F-35 Joint Strike Fighter aircraft 50 and armed drones. Previously, the United States had repeatedly denied U.A.E. requests to purchase the F-35 while allowing Israel to become the first Middle East operator of the fifth-generation platform in 2017. U.A.E. officials say the country has sought since 2014 to buy the F-35.

Israel has long held aerial superiority in the Middle East due to both the skill of its pilots and the American-built planes in its fleet. Israel is the sole Middle Eastern country that operates the F-35, and this possession of a fifth-generation aircraft, along with its older, but still formidable, squadrons of F-15Is and F-16Cs, provides it with a significant advantage over neighboring Arab states. No other Middle Eastern air force currently possesses a stealth fighter akin to the F-35. While other regional air forces possess advanced fourth-generation fighters such as Saudi Arabia (Boeing F-15SA), Qatar (Boeing F-15QA), the U.A.E. (Lockheed Martin F-16 Block 60 E/F Desert Falcon),⁵² and Egypt (Dassault Rafale)

The F-35’s advanced sensors and ability to share information with legacy aircraft give Israel’s older fighters a situational awareness of the battlefield that no other regional state possesses.

During the last few months of the 116th Congress, many lawmakers largely welcomed the signing of the Israel-UAE normalization agreement while asserting congressional prerogatives to thoroughly review any potential related arms sales to the U.A.E., particularly as they relate to the Q.M.E 53. Some lawmakers raised questions as to whether the sale of the F-35 to Middle Eastern countries other than Israel would automatically erode Israel’s Q.M.E.

In a September 2020 SFRC hearing, then Ranking Member Robert Menendez asked then Under Secretary of State for Political Affairs David Hale how the State Department was going to adhere to the 2008 law on Q.M.E. if the sale of the F-35 to the U.A.E. went forward. In his response, Hale remarked that:

“We have a large group of people at the Pentagon and the State Department who evaluate based on technical criteria and assessments of security and what the Israelis have and what our partners need. And they will make recommendations to the Secretary of State, and then we have a consultative process with Israel. It occurs every year. There’s an executive session in which it’s a closed session in which we talked about these things”.

On October 9, Senators Menendez and Reed sent a letter to then Secretary of State Michael Pompeo posing a series of questions about the possible sale that they asserted “must be fully answered before this sale is sent to Congress for review, as required by statute.”

On October 20, Senators Menendez and Feinstein introduced S. 4814, the Secure F-35 Exports Act of 2020. This legislation would have, among other things, required approval by the President before providing F-35 aircraft to a Middle Eastern country other than Israel so that such a sale would not undermine Israel’s Q.M.E.

A few Members expressed outright opposition to a proposed sale of the F-35 to the U.A.E.⁵⁶ Representative Gregory Meeks stated that he was “absolutely opposed to that sale because we don’t know what’s happening in the future. I’ve seen it happen before.... I think that it violates Israel’s strategic interest and safety.”⁵⁷

On November 10, 2020, the Trump Administration notified Congress of a \$23 billion arms sale to the U.A.E., including F-35s, drones, and various munitions. As mentioned above, the sale was proposed to support UAE-Israeli diplomatic normalization. An effort to block the proposed deal in the Senate failed to garner the required votes (S.J.Res. 77 and S.J.Res. 78). President Trump issued a Statement of Administration Policy expressing his opposition to the resolutions of disapproval, noting:

“These sales are consistent with the longstanding commitment and statutory obligation of the United States to maintain Israel’s Qualitative Military Edge (Q.M.E.). The Department of State, in consultation with the Department of Defense, has included in its certification to Congress a determination that these sales will not adversely affect Israel’s Q.M.E. In a joint statement on October 23, Israeli Prime Minister Benjamin Netanyahu and Defense Minister Benny Gantz endorsed the delivery of advanced defense capabilities to the U.A.E., noting the commitments by the United States to maintain Israel’s Q.M.E. Transfer of enhanced capabilities to a partner after normalization of relations with Israel is consistent with decades-long United States precedent”.

Economic and Educational relations between U.S and Israel

- The U.S.-Israel economic and commercial relationship is strong, anchored by bilateral trade of close to \$50 billion in goods and services annually.
- In December 2021, the U.S. and Israel held the 36th annual meeting of the U.S.-Israel Joint Economic Development Group (JEDG), the premier bilateral economic policy dialogue between our two nations. The annual dialogue is a testament to our long-standing cooperation and further strengthens our respective economies.
- The United States and Israel coordinate scientific exchanges through the Binational Science Foundation (BSF), the Binational Agricultural Research and Development Foundation (BARD), and the Binational Industrial Research and Development Foundation (BIRD). These institutions facilitate important academic exchange benefitting progress in science in Israel and the U.S.
- The State Department, together with the Israeli government, has supported more than 3,400 American and Israeli students and scholars through the Fulbright program, the United States government’s flagship international exchange program. The program has promoted joint research and scholarship between Americans and Israelis that has helped build lasting connections and increased knowledge-sharing across institutions.

- The U.S. Embassy in Israel provides outstanding Israeli students opportunities to study in the United States through the UGRAD, EducationUSA, and Fulbright Student Program. The Embassy also supports English language learning in Israel through the English Access Microscholarship program and the English Language Fellows Program.
- The U.S. Embassy in Israel supports programs and exchanges for Israeli graduate students, faculty, rising leaders, and professionals, including through the Fulbright Visiting Scholar program and the International Visitor Leadership Program

Finally,

As Palestinians, we do not deny that the United States and its people have assisted the Palestinian people and the Palestinian Authority. We also appreciate the position of President Biden and his administration, which did not use the 2020 peace plan proposed by the Trump Administration as a reference point. U.S. Secretary of State Antony Blinken has said that ‘Jerusalem, of course, is a final status issue to be determined by the parties.’ During Biden’s July 2022 visit, he stated that ‘Jerusalem is central to the national visions of both Palestinians and Israelis-to your histories, to your faith, to your futures. Jerusalem must be a city for all its people, its holy sites preserving the status quo...’

But the reality on the ground is that Israel, with the help of the United States, is trying to end the core and central causes that define the conflict and which fall within what is known as ‘final status issues’, through the neutralisation of the Jerusalem issue and an attempt to neutralise the refugee issue, as well as the end of the two-state solution through the intensification of Israel settlement construction inside major settlement blocs in the West Bank, the Jerusalem area, and beyond. Israel is trying to end the two-state solution in negotiations over a fictitious border within the West Bank, and over the administration of its population without sovereignty.