Monday, May 24, 2021

To:
Joseph R. Biden
President of the United States

Dear Mr. President,

Re: A request to condition the continuation of U.S. financial aid on the discontinuation of the engagement by Israel and its armed forces in gross violations of human rights and international law in the West Bank and Gaza Strip, and to stop the aid insofar as the State of Israel shall refuse to change its conduct

1. We apply to you on behalf of ‘Combatants for Peace’, an Israeli-Palestinian movement which acts to promote peace and end the military control over the West Bank and the Gaza Strip. The movement is based on the establishment of a bi-national partnership grounded in activism and non-violence.

2. Until the ceasefire on last Friday, Israel and the armed organizations in the Gaza Strip were once again engaged in a vicious war. Both sides committed war crimes, attacked civilians and illegal civil targets and caused unnecessary human suffering. Hamas, however, is not an ally of the U.S., whereas Israel is.

3. As shall be explained below, the main reason for which the State of Israel took the liberty to escalate the situation and initiate violent and unilateral steps in Jerusalem and the Temple Mount during the month of Ramadan, followed by an overall assault on the Gaza Strip, is the understanding that it has the automatic and unconditional support by the U.S. One of the main expressions of such support is the military aid funds which the State of Israel receives annually.

4. On aggregate, the State of Israel is the largest recipient of U.S. foreign aid since world war two. To date, the U.S. provided Israel with $146 billion (without inflation adjusted)

5. In 2016, the U.S. and Israeli governments signed their third 10-year Memorandum of Understanding (MOU) on military aid, covering FY2019 to

https://fas.org/sgp/crs/mideast/RL33222.pdf
FY2028. Under the terms of the MOU, the United States pledged to provide $38 billion in aid funds ($33 billion in Foreign Military Financing grants plus $5 billion in missile defense appropriations) to Israel. This MOU followed a previous $30 billion 10-year agreement, which ran through FY2018.

6. According to official statements by both countries, the U.S. administrations and congress provided Israel with such consecutive considerable financial aid in view of: the significant domestic U.S. support of the State of Israel and its security; shared strategic goals in the Middle East; shared commitment to democratic values; and historic ties back to the U.S. support of the establishment of the State of Israel in 1948.

7. In fact, unfortunately, such aid was used also for purposes of domination, oppression and banishment of Palestinians on both sides of the green line, contributed to the arms race in the Middle East, caused the militarization of Israeli society and contributed to irresponsible and dangerous conduct by Israeli governments.

8. The U.S. aid further contributed to the belief of Israeli governments that they can persevere in their refusal of peace, continue the domination of Palestinians and occupy Palestinian territories indefinitely.

9. Among others, an HRC report published on May 23rd. 20152, claimed that likely the Israeli Air Force planes involved in the bombing in Gaza utilize JDAM systems, and on May 17th 2021 the Washington Post published that you have approved the sale of additional systems of this type in the sum of 735 Million USD3 - at this stage, we cannot independently verify that American JDAM systems have been used in the Gaza strip. Insofar as they have, and that you intend to sell additional systems of this type to Israel, this would contradict your wise decision to freeze the sale of precision-guided bombs to Saudi Arabia to prevent the fueling of the war in Yemen; In addition, the high number of women and children killed over the past days in the Gaza strip as a result of Israeli aircraft bombing, raises questions as to the precision of the American system and its effectiveness in preventing "collateral damage".

10. Practically, the U.S. financial aid enables the Ministry of Defense and the IDF to invest more than 50% of the annual budget in salary and manpower expenses4 (in some years, the portion of manpower costs was over 60%5), and by that enhances the personal interests of the IDF and the Ministry of Defense to maintain a perpetual state of war.

11. U.S. administrations similarly erred in providing financial aid for the military needs of other human right violating governments, particularly in Latin America and South-East Asia. For example, in the 80s, the U.S. extended military

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3 https://www.washingtonpost.com/politics/2021/05/17/biden-administration-approves-735-million-weapons-sale-israel/
5 https://www.calcalist.co.il/local/articles/0,7340,L-3604546,00.html
financial aid to El Salvador, in the amount of $3.5 billion, which only fueled the civil war and expanded the scope of human right violations and atrocities.

12. Notwithstanding the desire of U.S. administrations, guided by various interests, to continue acting like “business as usual”, Media, public and congressional pressure forced them, in many cases, to stop, freeze or cutback on the military financial aid due to the involvement of such governments in gross violations of human rights and international law.

13. The only exception thereto is the State of Israel, who thus far enjoyed complete immunity in all aspects pertaining to U.S. military aid. To the best of our knowledge, the only time that the U.S. has seriously threatened to cutback on military aid was in 1987, due to Israel’s military support of the South African apartheid government while compromising U.S. interests and disregarding the embargo by the U.N. Security Council.

14. The U.S. policy to privilege the State of Israel and not condition the financial aid extended thereto on the fulfillment of its commitments to avoid gross violations of human rights and international law, is a violation of U.S. legislation, inter alia the Arms Export Control Act of 1976⁶ and mostly Chapter 620M of the Foreign Assistance Act of 1961⁷.

15. The U.S. Department of State defines gross violations of human rights, pursuant to Section 502B(d)(I) of the FAA (22 U.S. Code § 2304 (d)(I)). The definition is not an exhaustive list, and each violation should be examined on its merits. As specified in countless U.N. and E.U. reports and resolutions, reports by international organizations and sometimes even by the U.S. Department of State, other than “rape as a war weapon”, and “enforced disappearances”, the State of Israel and its armed forces regularly commit the violations listed below:

16. As a result of the aforesaid, since the beginning of U.S. financial aid to Israel in 1973, for procurement of military equipment, the engagement of the State of

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⁶ https://www.pmddtc.state.gov/regulations_laws/aeca.html
⁷ http://legcounsel.house.gov/Comps/Foreign%20Assistance%20Act%20of%201961.pdf
17. Furthermore, regarding the reasoning of financial military aid to Israel by the shared commitment to democratic values, it is important to note that although racist perceptions and Jewish supremacy have always been a part of Israeli governments’ policy towards the Palestinian population, in recent years, under Prime Minister Netanyahu, this is no longer camouflaged and has become a declared policy. Inter alia, racism is expressed within Israeli territory by the legislation of the “Nation-State Law”, and in the occupied territories by the Netanyahu government refusal to provide Covid-19 vaccinations to millions of Palestinians; among the enthusiastic allies of Prime Minister Netanyahu are prominent supporters of ethnic cleansing and the committing of hate crimes against Palestinians; in addition, the fact cannot be ignored, that Netanyahu is charged with severe matters of bribe and corruption, and that the independence of the Knesset, the law enforcement and legal systems in Israel have been severely eroded in recent years.

18. A prominent example of the racist policy of the State of Israel is the illegal plan to deport hundreds of Palestinian residents from their homes in Eastern Jerusalem, in particular in Sheikh Jarrah, in order to expand the illegal settlements over there. In this context, it is important to note that settler organizations are not acting independently, but are rather financially and politically supported by the Israeli Government.

19. The U.S. denouncement of the Assad Regime bombing of residential areas in Syria fade away when the State of Israel is bombing residential buildings and a communication building on the Gaza Strip, or demolishes residential homes in Eastern Jerusalem and the West Bank. The U.S. denouncement of the killing and wounding of demonstrators in Myanmar and the ethnic cleansing of the Rohingya fade away when the State of Israel is wounding and killing demonstrators on the West Bank and the Gaza Strip, and effecting a transfer of Palestinians in Eastern Jerusalem, the Jordan Valley or Khan al-Ahmar.

20. In view of the aforesaid, we ask that you condition the continued U.S. financial aid on the discontinuation of the engagement of the State of Israel and its armed forces in gross violations of human rights and international law in the West Bank and the Gaza Strip, and to stop the aid insofar as Israel shall refuse to implement dramatic changes to its conduct.

Rana Salman
Chief Executive Officer (Palestine)
Combatants for Peace

Yonatan Gher
Chief Executive Officer (Israel)
Combatants for Peace

Eitay Mack, Adv.