Palestinian Officials Say U.S. Threatens 'Severe Steps' if Leaders Sue Israel in World Court

February 1, 2017

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Haaretz

<http://www.haaretz.com/middle-east-news/palestinians/.premium-1.769034>

Washington has warned Palestinian leaders that suing Israel in international courts would trigger severe steps by the U.S. administration, including the closure of PLO offices in the American capital and an end to economic aid to the Palestinian Authority, according to Western and Arab diplomatic sources.

Haaretz has learned that the message from the Trump administration was transmitted through the American consulate -- and not through the White House or State Department -- and consisted of a telephone conversation with a leading Palestinian official directly linked to PA President Mahmoud Abbas.

In his first week as president, Donald Trump signed an order to execute a congressional resolution, drawn up during Barack Obama’s term, to move against the PA and Fatah (the largest faction of the PLO) if the Palestinians sue Israel, a high-ranking Palestinian source told Haaretz.

“Despite that resolution by Congress, the Palestinian leaders were counting on petitioning the court as a means of halting the settlements. But the messages arriving from Washington in recent days made clear that any such step by the Palestinians would lead to a severe American reaction, so much so that some talked about returning the PLO to the list of terrorist organizations,” said the Palestinian source.

'Sabotage of Palestinian strategy'

The Palestinian leaders have been fuming over the messages from Washington, Haaretz has learned, dubbing them an attempt to sabotage the entire Palestinian strategy of recent years, which involves abandoning armed struggle and violence in favor of international diplomacy, and working with the UN institutions and the international community, to reach a two-state solution.

“Every decision made since the acknowledgement of Palestine by the UN General Assembly in 2011, until the last Security Council resolution in December 2016, was designed to rescue the two-state solution,” the Palestinian source told Haaretz.

“Netanyahu’s policy, including in the last few days, of accelerating construction by thousands of housing units while Washington stays silent, means destroying any chance of a future diplomatic solution,” said the source, referring to the Israeli prime minister.

The Palestinian foreign ministry has meanwhile sharply condemned the resolution to build thousands of housing units in the West Bank, saying it renders the two-state solution an illusion. Top Palestinian officials, including Fatah general secretary Saeb Erekat, have called on the international community to step in without delay.

Meanwhile, Palestinian sources in Ramallah, headquarters of the PA, admit that no final decision to sue Israel in the international courts has been reached, because of the American threat.

The Palestinian leaders will be discussing the matter over the next few days, Haaretz has learned. “The American threat is significant, but the Americans and Trump administration have been talking about implementing a two-state solution and in parallel have been letting Netanyahu persist with his destructive policy, and have been backing him, which is unthinkable.

"We, as Palestinians, will continue to act on every international front to save the two-state solution and expect the international community to do the same,” said a Palestinian bureaucrat who is familiar with the details and messages transmitted from Washington to Ramallah."

For several years the Palestinian Authority has been moving toward bringing Israel to the International Criminal Court at the Hague for alleged war crimes and as a means of challenging the legality of the Jewish settlements in the West Bank.

Trump took office more than two weeks ago and the new administration's policy on the Israeli-Palestinian issue is still unclear. A list of questions put to the White House spokesman elicited evasive answers.

Furthermore, the office has been nearly paralyzed in the past two weeks awaiting the Senate's confirmation of Rex Tillerson as secretary of state. In light of this, it isn't clear whether the message regarding an appeal to the World Court was conveyed to the Palestinians by American diplomats of their own initiative or whether it was in response to questions posed by the Palestinians.

The possibility of a cessation of American aid in the event of a Palestinian appeal to the court does not show a new policy, but has been set in American law for two years.

In the U.S. foreign aid legislation approved at the end of 2015, a clause was added by which the administration would bar the transfer of any funds to the Palestinian Authority were it to initiate any investigation against Israel at the World Court or support such an investigation that would require the questioning of Israeli civilians suspected of committing crimes against the Palestinians.

According to the U.S. law any Palestinian step at the World Court could lead to the closure of Palestine Liberation Organization offices in Washington. The Palestinians' appeal to the court in 2014 and 2015 and their continued transfer of information to the prosecutors since then, have delayed and frozen some U.S. aid but has not stopped it altogether.