

Pompeo Embraced Israeli Settlements, But Democrats Also Paved the Way for It

Mike Pompeo's embrace of Israel's illegal settlements built on decades of bipartisan support for Israeli expansionism.

Secretary of State Mike Pompeo has faced widespread international condemnation for his recent assertions that illegal Israeli settlements constructed in the occupied West Bank are somehow legal and part of Israel, and that products from these colonies on confiscated Palestinian land should be labeled as “Made in Israel.” What fewer are discussing, however, is that while these proclamations are unprecedented in their scope, they are in fact the culmination of decades of bipartisan support for Israeli expansionism.

Israeli Settlements

The illegality of Israel's settlements in the West Bank is clear: Article 49 of the [Fourth Geneva Convention](#) — to which both Israel and the United States are signatories — prohibits any occupying power from transferring “parts of its own civilian population into the territory it occupies.”

United Nations Security Council resolutions [446](#), [452](#), [465](#), [471](#) and [2334](#) have explicitly recognized the application of the Fourth Geneva Convention to Israeli-occupied territories, as does a [landmark 2004 decision](#) by the International Court of Justice.

The Nixon, Ford and Carter administrations all recognized the illegality of these settlements when Israel's colonization drive began in the 1970s. In 1978, the U.S. State Department issued a [formal finding](#) that they were indeed a clear-cut violation of international law. Last year, however, the Trump administration revoked this longstanding ruling and declared that the United States [now considered the settlements legal](#).

During his trip to Israel on November 19, Pompeo became the highest-ranking U.S. official to visit one of these illegal settlements, crossing into the occupied West Bank to visit the Psagot Winery built on confiscated private Palestinian land and funded by American donors to Trump campaign. While there, he sampled a red blend named after him, [declaring](#) that his visit was a “simple recognition of this as part of Israel” and “a recognition of the reality.” (Pompeo later went to the Israeli-occupied Golan Heights — also the first for a top U.S. official — when [he insisted](#) it was “a central part of Israel.” Even the Reagan administration supported a unanimous [1981 UN Security Council resolution](#) declaring Israel's illegal annexation of the Syrian territory as “null and void.”)



This “reality” of facts on the ground cited by Pompeo was made possible by both Republican and Democratic administrations’ acquiescence, despite occasional finger-wagging, to Israel’s settlement expansion, as well as a series of bipartisan congressional resolutions. Indeed, the trend toward U.S. acceptance of Israel’s colonization drive has been moving forward for decades.

The Reagan administration was the first to stop referring to the settlements as illegal, but still opposed their expansion. In 1991, President George H.W. Bush insisted on a settlement freeze as a condition to granting a controversial \$10 billion loan guarantee to Israel. In response, leading members of Congress — as well as Bill Clinton and most candidates for the 1992 Democratic presidential nomination — attacked Bush from the right by calling on the president to grant the loan guarantee unconditionally. [He eventually capitulated](#), though insisting that the United States cut the amount of the loan guarantee granted in \$2 billion increments over the subsequent five years by the equivalent amount Israel paid for settlement construction.

It was under the Clinton administration that U.S. support for Israeli settlements became apparent, increasing aid to Israel by the same amount deducted from the loan guarantee, thereby [using taxpayer dollars](#) to subsidize the settlements’ expansion and undermining efforts by Israeli peace activists and the international community to freeze settlement expansion.

When the Oslo Accords were signed in September 1993 and the Palestinians pressed to address the settlements issue immediately, Clinton [insisted](#) that it be delayed as a “final status issue” to be dealt with later in the talks following security and redeployment issues, thereby enabling Israel to create “facts on the ground” by building more and more settlements, even as the peace process slowly moved forward.

To the shock of much of the international community, the Clinton administration also insisted that the Fourth Geneva Convention and the four U.N. Security Council resolutions addressing the settlements issue were suddenly no longer relevant, vetoing two otherwise unanimous new resolutions calling on Israel to cease its settlement activities. In 1998, the Clinton administration and Congress approved additional aid to Israel to build “bypass roads” and security enhancements for Israeli settlers in the occupied territories.

Clinton and Israeli Prime Minister Ehud Barak’s [proposed boundaries](#) of a future Palestinian state, unveiled at the July 2000 Camp David Summit, excluded most of the new and expanded settlement blocs developed during the previous years by incorporating them into an enlarged Israel, dividing the Palestinian West Bank into four noncontiguous regions. The Palestinians recognized that such a fractured mini-state would be unviable and therefore rejected the proposal, leading Clinton and a bipartisan majority of Congress to blame the Palestinians for the failure of the talks. This failure by the United States to demand that Israel live up to its international legal obligations and cease its settlements expansion was therefore largely responsible for the collapse of the peace process and the rise of Palestinian groups like Hamas.

George W. Bush’s support for right-wing Israeli Prime Minister Ariel Sharon’s 2004 “convergence plan” — which would have incorporated virtually all West Bank settlements into Israel and left the Palestinians with even less territory than in the Camp David proposal four years earlier — was [endorsed by a broad bipartisan majority in Congress](#), including Chuck Schumer, John Kerry, Hillary Clinton and Joe Biden.

That same year, these senators [co-sponsored a resolution](#) condemning the International Court of Justice (ICJ) for ruling against what their resolution described as “the security fence being constructed by Israel to prevent Palestinian terrorists from entering Israel.” However, the ICJ ruling explicitly defended the right of Israel to build such a barrier along its internationally recognized border to prevent “terrorists” from entering Israel; it only opposed its construction deep inside the Israeli-occupied West Bank to protect illegal Israeli settlements. In

saying that entering settlement enclaves was “entering Israel,” it appears that Biden and his colleagues were effectively agreeing with Pompeo that the West Bank settlements were indeed part of Israel.

While Pompeo was the first sitting Secretary of State to visit a settlement, Hillary Clinton had visited a settlement prior to her taking that post while she was a U.S. senator. During that visit, she insisted it was in Israel. Earlier, she had categorically stated that she had no intention of visiting “Palestinian areas” during her trip, even though the settlement was on the West Bank on land seized from a Christian Palestinian family that had been farming the land for generations.

Obama was more critical of the settlements, but was reluctant to explicitly call them illegal. In 2011, in its only U.N. Security Council veto, the United States blocked an otherwise-unanimous resolution reiterating the illegality of the settlements and calling for a construction freeze. In December 2016, just weeks before Obama was to leave office, he had the U.S. abstain on a similar resolution calling on Israel to stop expanding its illegal settlements in the occupied West Bank. In reaction, newly elected Sen. [Kamala Harris](#) co-sponsored [a resolution](#), passed by a large bipartisan majority, criticizing Obama’s failure to veto the resolution in language that effectively insisted that the United Nations stay out of questions of international humanitarian law in occupied territories and that the decision as to whether to expand these illegal settlements should instead be left to the voluntary compliance of the occupying power.

Pompeo Declares Products From the West Bank as “Made in Israel”

Following his visit to Psagot, [Pompeo declared](#) that the United States would require goods imported from areas “where Israel exercises the relevant authorities” to be marked as “Made in Israel” or a “Product of Israel.” This runs counter to the policies of virtually the entire international community, including the European Union (EU), which recognizes that the settlements are outside Israel’s borders. (The EU has a similar policy in regard to Moroccan-occupied Western Sahara.) [Pompeo condemned](#) what he called “pernicious EU labeling efforts,” saying, “The U.S. stands with Israel and will not tolerate any form of delegitimization.”

However, as far back as 2015, a bipartisan majority of Congress passed [a trade bill](#) that formally defined “Israel” as including the occupied territories. It was attached to the “fast track” legislation to pave the way for the Trans-Pacific Partnership, the free trade agreement that was a priority for President Obama, in order to force him to pressure potential U.S. trading partners to no longer boycott products made in illegal settlements or discourage their companies from supporting the Israeli occupation.

This followed a letter sent by Senator Ben Cardin (D-MD), the then-ranking member on the Senate Foreign Relations Committee and the de facto foreign policy spokesperson for Senate Democrats, to the chief U.S. trade representative calling on him to try to block European governments from “differentiating between pre- and post-1967 Israel” because there should be “no differentiation” between “Israel or territories controlled by Israel.”

In a signing statement, Obama declared that he would not abide by that section of the legislation. The [State Department](#) also rejected the pro-settlements language, observing how “every U.S. administration since 1967 — Democrat and Republican alike — has opposed Israeli settlement activity beyond the 1967 lines.”

The main target of the bill was the European Union’s recent decision on rejecting labeling products from Israeli settlements as being made in Israel. Bipartisan groups of Congress members wrote [three separate letters](#) to the EU’s foreign policy chief and the [U.S. trade representative](#), insisting that the EU initiative was a “de-facto boycott of Israel” and accusing the EU of implementing “restrictive and illegal trade measures” despite the fact that the EU decision was only in reference to the occupied territories and, much to the consternation of human rights activists, did not call for boycotting any products from the settlements, much less Israel itself. Signers of

this effort included such prominent Democrats as Kirsten Gillibrand (D-New York), Ben Cardin (D-Maryland), Bob Casey, Jr. (D-Pennsylvania), Bob Menendez (D-New Jersey), Ron Wyden (D-Oregon), Chuck Schumer (D-New York) and Cory Booker (D-New Jersey).

Another recent bill, sponsored by Nita Lowey (D-New York), the ranking member of the House Appropriations Subcommittee on State, Foreign Operations, and Related Programs, and co-sponsored by Elliot Engel (D-New York), the ranking member of the House Foreign Affairs Committee, attempted to put Congress on record opposing the EU's interpretive notice on products from settlements. Despite the fact that the initiative explicitly did not ban the actual importation of goods from either Israel or Israeli settlements, Rep. [Lowey](#) insisted that such truth-in-labeling laws were designed "to extract one-sided concessions and feed into politically-motivated acts to boycott Israel,".

Meanwhile, a [customs bill](#) passed in Congress with bipartisan support called on the United States to block "investigations or prosecutions by any government or international organization of U.S. citizens for doing business with individuals or entities operating from the illegal settlements." It also prohibited any U.S. court from recognizing or enforcing any judgment against Americans who conduct business in Israeli settlements and required the president to submit a report on decisions by individuals, corporate entities and state-affiliated financial institutions "that limit or prohibit economic relations," not only in Israel but in "any territory controlled by Israel."

While it is easy to see Pompeo's announcements as simply another one of the Trump administration's renunciations of longstanding international norms or an embrace of the agenda of right-wing evangelical Christians, support for the Israeli colonization of occupied Palestinian territory has been ongoing for years. It has been endorsed by Republicans and Democrats alike, including the president-elect and the vice-president elect. These policies make a viable two-state solution impossible by dividing Palestinian-populated areas of the West Bank into multiple non-contiguous canons, creating an apartheid-like situation on the West Bank of exclusively Jewish towns and roads while the Palestinian majority is squeezed into increasingly small enclaves. It is also an effective renunciation of some of the most basic principles of international law established after World War II, enshrined in the UN Charter and other international legal statutes, prohibiting the expansion of any nation's territory by military force and forbidding the colonization of one nation by another.

See also [DNC Platform Condemns BDS But Not Israel's Occupation of Palestine](#)

The Democratic National Committee is ignoring 90 percent of its base to side with Trump and the GOP on Israel policy. By [Stephen Zunes](#) , [Truthout](#)