

US declares Israeli settlements no longer illegal

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Secretary of State Mike Pompeo announced Monday that the United States no longer views Israeli settlements on Palestinian land seized during the 1967 Arab-Israel war as illegal.

In doing so, he is giving the extreme right-wing caretaker government of Prime Minister Benjamin Netanyahu carte blanche to accelerate the creation of new Zionist settlements and the expansion of existing ones. The US ruling is a green light for an escalation in the ethnic cleansing of Palestinians from East Jerusalem and the annexation of Palestinian land.

The ruling announced by Pompeo also makes clear that Washington will brook no constraints on its pursuit of US hegemony via criminal wars of conquest, annexations and the re-imposition of naked colonialism.

His announcement at a State Department press conference amounts to an argument for abrogating all existing international laws if the US views them as an obstacle to its interests. For the Trump administration, what is “lawful” will be determined by those interests and the use of military force to achieve them.

Pompeo said, “After carefully studying all sides of the legal debate, this administration agrees ... (the) establishment of Israeli civilian settlements in the West Bank is not, per se, inconsistent with international law.”

“Calling the establishment of civilian settlements inconsistent with international law has not advanced the cause of peace,” he said. “The hard truth is that there will never be a judicial resolution to the conflict, and arguments about who is right and who is wrong as a matter of international law will not bring peace.”

The Trump administration would therefore reverse previous US governments’ “approach” to the settlements issue that held that civilian settlements in the occupied territories are “inconsistent with international law.” From now on, the legality of individual settlements would be a matter for the Israeli courts to decide.

The move granting Israel and its courts a free hand, he asserted, would “provide the very space for Israelis and Palestinians to come together to find a political solution.”

The US has never in reality opposed Israeli settlements, but rather protected Israel from all criticism and potential legal sanction. US presidents after Jimmy Carter referred to the settlements as “obstacles to peace” or “illegitimate” or “unnecessarily provocative,” rather than illegal, following a State Department finding in 1978—with Ronald Reagan disagreeing with even this watered-down designation. Irrespective of its formal position, successive administrations have backed Israel’s military aggression in the region, its expansion of the settlements and use of force against the Palestinians, using its veto power in the UN Security Council to quash at least 43 Israel-related draft resolutions.

The State Department—in recognition that Pompeo’s announcement might cause protests in the Palestinian Occupied Territories and East Jerusalem—issued a sweeping travel warning for all US government facilities, US private interests and US citizens in the West Bank, Gaza and Jerusalem.

Under international law, the West Bank, East Jerusalem, Gaza and the Syrian Golan Heights are deemed to be occupied territories. The Geneva Conventions, enacted in the wake of the Second World War to prevent the repetition of the crimes carried out by Germany’s Nazi regime, outlawed the annexation of territory captured in war as well as the building by an occupying power of civilian settlements on such land.

While Pompeo implied that the Trump White House was simply echoing Reagan’s earlier stance, it has gone much further, reversing the 1978 State Department finding. Despite his repeated and lying attempts to respond to questions about the announcement by claiming that Washington’s new position was based on the Trump administration’s review of international law, he did not refer to the authors of this new legal reasoning or its content because there was no such review, which is conspicuous by its lack of publication.

The announcement is the latest in a series of hardline moves by the Trump administration in support of Israel’s

militarist expansionism that include:

- * The relocation of the US embassy from Tel Aviv to Jerusalem

- * The recognition of Israeli sovereignty over Syria's Golan Heights

- * The closure of the Palestine Liberation Organization's offices in Washington and the US Consulate General in Jerusalem, which worked with Palestinians

- * The ending of US funding to the United Nations Relief and Works Agency (UNRWA), which assists Palestinian refugees, as well as to other Palestinian organizations and programs

- * The enactment of US laws that prohibit providing funds to the families of Palestinian political prisoners and individuals killed by Israel, under the pretext of "fighting terrorism"

- * Moves to brand any form of criticism of Israel, including the boycott, divestment and sanctions (BDS) movement, as anti-Semitic

- * The US withdrawal from the UN Human Rights Council in protest against its scrutiny of Israel's policies.

These moves and Pompeo's latest declaration in support of Israel's expansionist policies are bound up with a broader escalation of US imperialism's military intervention in the Middle East, particularly to roll back Iranian influence in the region in the wake of the successive debacles suffered by Washington in Iraq, Libya and Syria.

Unsurprisingly, Netanyahu, who faces the likelihood within days of criminal indictments in three major corruption probes, and a battle to remain Israel's leader after two inconclusive elections, hailed the announcement. "Today, the United States adopted an important policy that rights a historical wrong when the Trump administration clearly rejected the false claim that Israeli settlements in Judea and Samaria are inherently illegal under international law," he gloated.

He welcomed Pompeo's assertion that the legality of Israeli settlements was a matter for the Israeli courts, rather than "biased international forums that pay no attention to history or facts."

Netanyahu had pledged during this year's election campaigns that he would extend Jewish sovereignty over all the Israeli settlements as well as the Jordan Valley and the northern Dead Sea area in the occupied West Bank if re-elected. He now has the green light to proceed with this plan.

But any annexation would be a prelude to an apartheid state that would ghettoize the Palestinians, who comprise nearly half of the total population of Israel and the occupied territories. The recently passed Jewish Nationality Act enshrining Jewish supremacy provides the legal foundation for such a state. It would necessarily entail stepped-up

repression in Israel and intensified Israeli military aggression in the occupied West Bank, Gaza and the broader Middle East.

Netanyahu's right-wing coalition partners wasted no time in calling for Israel to annex settlements in the West Bank. Ayelet Shaked of the nationalist Yamina (New Right) tweeted, "Thank you President Trump and Secretary Pompeo for recognizing that there is nothing illegal about Jewish communities in Judea & Samaria. The Jewish People have the legal and moral right to live in their ancient homeland. Now is the time to apply our sovereignty to these communities."

Pompeo's announcement comes just days after the European Court of Justice ruled that all products made in the West Bank, including products made in Israeli settlements, must be labeled as such, a move that the pro-Israel lobby presented as anti-Semitic.

Benny Gantz, leader of the main opposition Blue and White Party and former army chief of staff who has been Netanyahu's rival in the protracted attempt to form a new Israeli government, also welcomed the announcement. Gantz called it "an important decision, which points once more to the [U.S. administration's] firm stance by Israel and commitment to the security and future of the entire Middle East."

Palestinian Authority spokesperson Nabil Abu Rudeineh said that Pompeo's statement "totally contradicts" international law. "The US administration has completely lost credibility and can no longer play any role in the peace process." He called on other countries to "declare their opposition" to it.

Hanan Ashrawi, an Executive Committee member of the Palestine Liberation Organization, called the move "another blow to international law, justice & peace by a Biblical absolutist waiting for the 'rapture.'"

As usual, the European powers issued pro-forma statements reiterating their hypocritical position that Israel's occupation and settlement program contravenes international law, while imposing no sanctions against it.



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