

The Time Bomb of Moving the U.S. Embassy to Jerusalem

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U.S. president Donald Trump has deferred the relocation of the U.S. embassy from Tel Aviv to Jerusalem, but this issue remains a time bomb set to do further damage to the already fragile Palestinian-U.S. relations. The Palestinians anticipated the dangers of this issue with Trump’s surprise win in the presidential elections, acting to contact his staff but with no results. In December 2016, a high level delegation headed by Sa’ib ‘Urayqat, secretary of the executive committee of the Palestinian Liberation Organization (PLO) and chief Palestinian negotiator, and Major-General Majid Faraj of the Palestinian Authority (PA) General Intelligence Service visited Washington to meet with high-ranking officials in the State Department and the White House. They were informed, however, that they should wait until after Trump’s inauguration on 20 January to contact his team.

‘Urayqat told *Majallat al-Dirasat al-Filastiniyya*: “We didn’t know anybody from Trump’s team, so after that reply we went back.” But as soon as the delegation returned to Ramallah the Palestinian Authority (PA) president Mahmud ‘Abbas received a letter through friends indicating that Trump intended to declare the relocation of the American embassy on inauguration day. Although this did not take place on inauguration day, the intention expressed in the letter was widely viewed as accurate. Republican senator Bob Corker, head of the Senate Committee on Foreign Relations, later told *Politico* that members of Trump’s team were “ready to move the embassy at 12:01 on January 20th. Maybe 12 . . . [and] 30 seconds. So I think that was going to be their first move at one point.”¹

Three Palestinian officials told *Majallat al-Dirasat al-Filastiniyya* that ‘Abbas tried to call Trump in order to congratulate him on his victory and to bring up the risks of moving the embassy, but that he, too, was rebuffed.

Following that, ‘Abbas sent a two-page letter to Trump that begins: “We see it as our duty to make you aware of the consequences of moving the embassy of your benevolent country to Jerusalem.” The Palestinians did not want confrontation to characterize the beginning of the relationship with the new U.S. administration, but ‘Abbas added: “We fear that this [decision to move the embassy] would become a pretext for exciting people’s natures, increasing extremism and violence, and transforming the conflict from a political to a religious one, and reaffirm our position rejecting all forms of violence and terrorism.” The PA president proceeded: “Many have been unable to make peace between us and the Israelis, and we look forward to you to being the one who will make history and achieve this great accomplishment.”

The Palestinians received no response to that letter, as confirmed by ‘Urayqat. This represents the first time the Palestinians were completely cut off from the U.S. administration since the official establishment of Palestinian-U.S. relations with the signing of the Oslo agreement on the White House lawn in 1993. Six meetings were held between U.S. president George W. Bush and PA president ‘Abbas in the United States, and two other meetings were held in Ramallah and the Egyptian resort of Sharm al-Shaykh between 2005 and 2008. During President Barack Obama’s two terms (2009–2017), he held six meetings with ‘Abbas in Washington and New York, and another meeting in Ramallah in March 2013. Former U.S. secretary of state Condoleezza Rice met with ‘Abbas nineteen times in the West Bank from 2005 to 2008, and former secretary of state Hillary Clinton held five meetings with him in Ramallah, Abu Dhabi, and Paris between 2009 and 2012. Former secretary of state John Kerry met ‘Abbas on the greatest number of occasions, holding 23 meetings with the PA president in the West Bank, Jordan, France, Great Britain, and Turkey from 2013 to 2015, not to mention the 43 meetings between them in the United States. This data does not include the dozens of telephone calls between U.S. presidents and secretaries of state on the one hand and the PA president on the other. According to Palestinian officials, the PA president was the first foreign leader U.S. president Barack Obama called after his 2009 inauguration.

Considering this extensive history of meetings and calls, the new U.S. administration’s decision to cut off the Palestinian leadership seemed surprising and suspicious. By comparison, Trump made two phone calls to Israeli prime minister Benjamin Netanyahu, on 9 November 2016 and 22 January 2017, in addition to a call from U.S. secretary of state Rex Tillerson to Netanyahu on 2 February and a White House meeting between Trump and Netanyahu on 15 February. As for Palestinian-U.S. communications, these were limited to the U.S. consul-general in Jerusalem, Donald Blome, until the beginning of February, when Faraj met with Mike Pompeo, head of the U.S. Central Intelligence Agency (CIA), and Jason Greenblatt, Trump’s representative for international negotiations, in Washington. On 24 January, Blome reportedly told PA president ‘Abbas in the Muqata’a that the U.S. administration was still in the initial stages of studying the decision to move the U.S. embassy to Jerusalem.

This did not reassure many Palestinians, particularly in light of declarations made by the U.S. president that he is still studying the issue and that it is a difficult decision that he would make at the right time. On 14 February, Pompeo arrived at the Muqata’a in Ramallah

and asked the PA president to be patient until the new U.S. administration settled down, indicating that the new administration does not intend to ignore the Palestinian Authority.

Twenty-Six Recommendations

On 5 January, Abbas called a meeting in Ramallah that included ‘Urayqat; Faraj; Muhammad Shtayyeh, a member of the Fatah’s central committee; PA minister of foreign affairs Riyad al-Malki; and the PA president’s diplomatic consultant Majdi al-Khaldi. ‘Abbas called the meeting to put forward possible scenarios for relocation of the U.S. embassy to Jerusalem, in addition to the necessary Palestinian steps in the event that Trump made such a move. The Palestinian leadership put forward 26 recommendations, the most important of which were:

- Putting a draft resolution before the United Nations security council to condemn this step, declare it null and void, and demand its reversal. In the event of a veto, the next step would be to put it immediately before the general assembly by calling a meeting under the Uniting for Peace resolution (UN general assembly resolution 377).
- Submitting a referral to the International Criminal Court regarding Israel’s settlements, its aggression against Gaza, and its detention of Palestinian prisoners.
- Recommending, via the executive committee, the PLO’s withdrawal of its recognition of the state of Israeli, and linking recognition to the mutual recognition between the state of Israel and the state of Palestine.
- Transitioning from the Palestinian Authority to the state of Palestine based on UN general assembly resolution 67/19 of 2012, whereby the PA president would be considered the president of the Palestinian state, the PLO executive committee would serve as its interim government, and the Palestinian National Council would be its parliament.
- Putting a resolution before the UN general assembly that would bar Israel from working in this body.
- Preparing to present the issue before the U.S. supreme court to argue that Congress’s resolutions on the relocation of the embassy are unconstitutional, as they interfere in foreign affairs, arrogating to the legislative branch powers that are constitutionally granted to the executive branch.

On 8 January, ‘Abbas sent letters to the leaders of a number of countries, including the Arab and Islamic states, as well as states considered friendly to the Palestinians, including Russia, China, and the European Union, asking them to take action and pressure the U.S. president not to move the embassy and to publicly declare their position on the matter. Jordan issued a statement warning the new U.S. administration of the dangers of moving the embassy before the Jordanian king’s trip to the United States. Observers noted that, apart from the Jordanian statement, the Arab and Islamic countries remained silent until President Trump hinted that it would be a difficult decision, at which point

several Arab and Islamic countries issued statements. In this respect, ‘Urayqat observed: “the Trump administration may reverse the position of successive U.S. governments since 1967, which rejected Israel’s annexation of East Jerusalem, considered settlements to be illegal according to international law, and stressed the two-state option along the pre-1967 borders.”

Five Possible Scenarios

Trump has yet to completely close the door on what he describes as “not an easy decision” regarding moving the U.S. embassy, stressing on more than one occasion that he is “thinking about it very seriously,” but without setting any time frame for a final decision or its implementation. Palestinian observers and officials set five possible scenarios for the possible relocation of the U.S. embassy, which are:

1. Moving the embassy and terminating the role of the U.S. consulate in Jerusalem.
2. Moving the U.S. embassy to West Jerusalem while keeping the U.S. consulate in East Jerusalem.
3. Maintaining the current situation, with the consulate remaining in West Jerusalem and the embassy in Tel Aviv.
4. Announcing the construction of a new embassy, a process that may take several years, while maintaining the status quo in the interim.
5. Announcing a peace plan that includes the embassy’s relocation.

The U.S. Consulate in Jerusalem

U.S. president John Tyler appointed the first U.S. consul in Jerusalem in 1844. In 1857, a permanent consular presence was established in a building in Jaffa Gate in the Old City. The consulate moved out of the Old City to its present location in Agron Street in West Jerusalem in 1912. The original consulate building consisted of two floors; a third floor was added at the beginning of the twentieth century. The present building consists of the consul-general’s residence and employee offices. In 1928, the delegation was designated a consulate general, representing the official diplomatic mission of the United States in Palestine under the supervision of the consul-general as the mission’s head. In 1951, the U.S. government rented another location on Nablus Street in East Jerusalem, which provided consular services to holders of U.S. nationality and visas. The consulate remained there until September 2010, when it moved to the Arnona neighborhood in West Jerusalem. Meanwhile, the Nablus Street location, known as “American House,” now houses the consulate’s cultural department.

May, a Crucial Month

Observers see May as decisive in determining Trump's intentions regarding moving the U.S. embassy. In May, the six-month presidential waiver postponing moving the embassy to Jerusalem, signed most recently by president Obama, will expire. Since 1995, when Congress passed a law mandating the U.S embassy's relocation from Tel Aviv to Jerusalem, every U.S. president, including Democrats Bill Clinton and Barack Obama and Republican George W. Bush, have repeatedly signed the six-month waiver included in the legislation. Eyes now turn to the new U.S. president to see whether he, like previous presidents, will continue to sign the waiver that postpones the embassy's relocation, or whether he will break with that tradition.

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Endnotes

- 1 Susan B. Glasser, "Sen. Bob Corker: The Full Transcript," *Politico*, 13 February 2017, online at www.politico.com/magazine/story/2017/02/sen-bob-corker-the-full-transcript-214767 (accessed 13 May 2017).