

United States Senate

WASHINGTON, DC 20510

January 29, 2015

The Honorable John Kerry
Secretary of State
U.S. Department of State
2201 C Street NW
Washington, DC 20220

Dear Secretary Kerry,

We are deeply concerned by the decision of Palestinian President Mahmoud Abbas to seek membership in the International Criminal Court (ICC), because the Palestinian Authority is not a state and its express intent is to use this process to threaten Israel. President Abbas' effort contravenes the spirit of earlier agreements between Israel and the Palestinian Authority and erodes the prospects for peace. Therefore, the United States must make clear that joining the ICC is not a legitimate or viable path for the Palestinians.

We ask your assistance on three matters that threaten to further undermine the prospects for achieving the shared goal of two states living side-by-side in peace.

First, we were heartened that the Palestinians' effort to unilaterally seek statehood via the UN Security Council failed and were encouraged by the efforts of the Administration to reject this one-sided resolution. The Palestinian Authority's stated plans to reintroduce their resolution at the UN Security Council later this year will require continued U.S. leadership and engagement with the members of the UN Security Council and Palestinian leaders to oppose imbalanced, unilateral solutions outside the context of direct negotiations. We urge you to make clear, publicly and privately, that the United States will veto any unilateral resolutions brought before the UN Security Council related to Palestinian statehood.

Second, current law prohibits economic assistance to the Palestinian Authority if the Palestinians initiate an ICC investigation of Israeli nationals or "actively support such an investigation." Although we believe it is in the interest of the United States for urgent humanitarian assistance to continue to be provided to the Palestinian people, we will not support assistance to the Palestinian Authority while you undertake a review of this matter.

Third, Israel is a major strategic partner of the United States and is facing increasing pressure from those who seek to delegitimize its very existence. President Abbas' actions are intended to directly challenge Israel's legitimate right to defend its citizens and territory, and President Abbas has been aided in his efforts by the statements and

actions of other governments, including many close U.S. allies. We request that you and other senior administration officials continue to speak out, as you did during last year's Operation Protective Edge, in unambiguous support for Israel's right to protect its citizens. We also urge you to highlight Hamas' ongoing support for terrorism and documented use of innocent Palestinian civilians as human shields.

The fact is that the only realistic and sustainable path to resolving the Israeli-Palestinian conflict is through direct negotiations between Israel and the Palestinians. For those negotiations to be successful, Israel needs a Palestinian partner that has renounced violence, refuses to partner with terrorists, accepts Israel's right to exist as a Jewish state, and is willing to make compromises for peace. President Abbas' recent actions undermine these efforts and make a comprehensive peace agreement more difficult to achieve.

Respectfully,



Marco Rubio
United States Senator



Kirsten Gillibrand
United States Senator



James Risch
United States Senator



Benjamin L. Cardin
United States Senator




Tom Cotton
United States Senator



Richard Blumenthal
United States Senator



Kelly Ayotte
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Ron Wyden
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Mike Crapo
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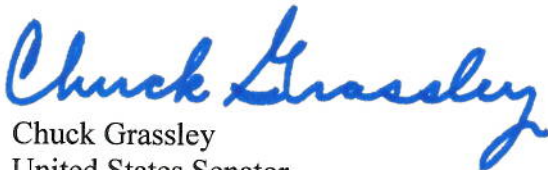
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Robert Menendez
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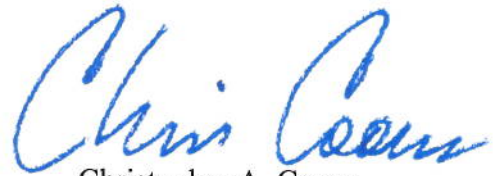
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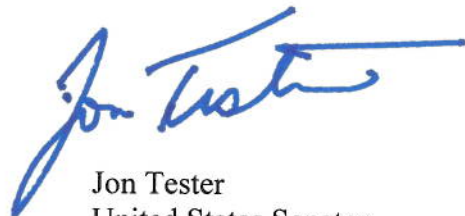
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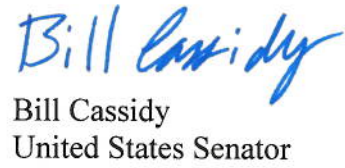
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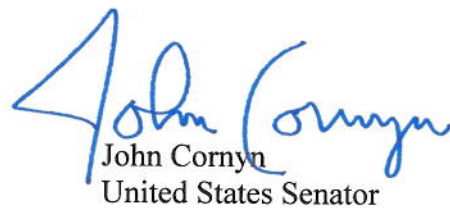
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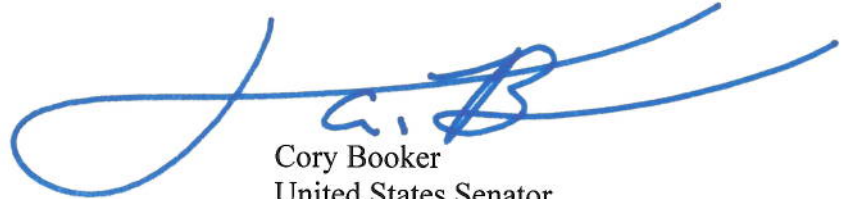
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