

Adalah The Legal Center for Arab Minority Rights in Israel
عدالة المركز القانوني لحقوق الاقلية العربية في اسرائيل
עזאלה המרכז המשפטי לזכויות המיעוט הערבי בישראל



30 January 2023

Secretary of State Antony Blinken
United States Department of State
Washington, D.C.

Ambassador Thomas R. Nides
United States Embassy in Israel
Department of State
Tel Aviv

Re: Objection filed before the Israeli Planning Committee Against New U.S. Embassy in Jerusalem on Illegally Confiscated Palestinian Land

Dear Secretary Blinken and Ambassador Nides:

Please find attached here a copy (in Hebrew)¹ of an objection that was filed today – 30 January 2023 – by Adalah - The Legal Center for Arab Minority Rights in Israel, against the plans submitted by the United States Department of State to build an embassy on the site of illegally confiscated Palestinian land, the ‘Allenby Barracks’ (Plan 101-0810796 - “Diplomatic Compound - USA, Hebron Road, Jerusalem”). Adalah filed its objection before the Israeli Planning Committee, as well as to the U.S. State Department and the U.S. Embassy in Israel, as the initiators of the plan, on behalf of 12 of the descendants of the original Palestinian owners of the land upon which the State Department is seeking to build. These descendants include four U.S. citizens, three Jordanian residents, and five East Jerusalem residents.

We want to reiterate that the State Department has long been aware that this land is originally owned by private Palestinian families and refugees and that it was seized through Israel’s 1950 Absentees’ Property Law, in violation of international law. More than 20 years ago, correspondence was sent to the State Department and then-Secretary of State Madeleine Albright by heirs to the land, informing them of the true ownership of the land. And again, in November 2022, Adalah, with the U.S.-based Center for Constitutional Rights, produced new evidence in a letter² sent to your offices reiterating the same and demanding that the U.S. cancel its plans to

¹ A copy of the objection will be translated shortly and forwarded to your offices as soon as it is available in the coming days.

² A copy of the letter can be found [here](#).

proceed with this illegal embassy construction. In both instances, the heirs and their representatives were provided with no meaningful response from the U.S. government.

In the objection, we ask both the Israeli and U.S. authorities to cancel the plan to build a diplomatic compound on this land. This land was seized by the government of Israel under the 1950 Absentees' Property Law, a law that was – and is – widely used to dispossess Palestinian refugees and internally displaced Palestinians from their property in the years following the 1948 Nakba and again in 1967. The law is a violation of international law, including Article 46 of the 1907 Hague Regulations, which stipulates the need to respect the right of private property and explicitly prohibits the confiscation of private property.

If the U.S. proceeds with this plan, it will be a full-throated endorsement of Israel's illegal confiscation of private Palestinian property in violation of international law. Planning and building the embassy as proposed in the plan would also violate Jerusalem's special status according to international law as a *corpus separatum*; it will strengthen the illegal annexation of East Jerusalem and support Israel's position of having a "united Jerusalem" as its capital, contrary to international law.

Additionally, several of the original landowners who are objectors to this plan sought refuge in the U.S. after they were expelled in 1948 and are now U.S. citizens. By moving forward with the plan, the State Department will be actively participating in violating the private property rights of its own citizens.

We call on the State Department and the U.S. Embassy to immediately withdraw these plans and demand that Israeli authorities withdraw their plan for the U.S. diplomatic compound on this land.

Sincerely,



Suhad Bishara, Advocate, *on behalf of*
Adalah – The Legal Center for Arab Minority Rights in Israel