

March 20, 2024

The Honorable Joseph R. Biden, Jr.
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear Mr. President:

As former U.S. foreign policy and national security officials who served several presidential administrations, we write to express our deep concerns about Israeli practices in Gaza. We also write to encourage your administration to continue and substantially strengthen efforts to protect civilians and promote a just and durable peace.

Like millions of people around the world, we believed that an Israeli military response to the barbaric October 7 attack by Hamas against Israeli civilians was necessary and justified. However, military tactics employed in that response have been indiscriminate, created a humanitarian catastrophe, jeopardized the potential for further progress toward regional stability, and undermined U.S. credibility and influence in the region and around the world.

The Hamas attack on October 7 made a response that included counterinsurgency operations inevitable. That did not, however, absolve the Israeli Defense Forces (IDF) of responsibility to conduct operations in accordance with International Humanitarian Law (IHL), which requires that parties prevent indiscriminate killing and which prohibits use of weaponry that does not enable a party to a conflict to distinguish between combatants and civilians. The Israeli attacks in Gaza have been marked by repeated violations of these principles.

Moreover, the Israeli Defense Forces have failed to observe requirements of an occupying power to provide the civilian population under its control with the basic necessities of life. Instead of building into its military operations reliable procedures and infrastructure for humanitarian relief, the Israeli authorities set a very negative tone for treatment of civilians, characterized by the Israeli Defense Minister on October 9 as “no electricity, no food, no water, no fuel.” The Israeli military has effectively laid siege not just to the estimated 30,000 Hamas militants but also to two million Gazans. Tens of thousands of Gazan civilians have been killed, the majority of whom are women and children.

Civilian killings of this nature and magnitude cannot be justified. We are also concerned that Israeli conduct of the war risks making Gaza uninhabitable for Palestinians.

For all these reasons, we strongly support your call for an immediate ceasefire that would last at least six weeks and your statement that humanitarian aid should never be used as a bargaining chip. We believe it essential to implement a ceasefire long enough to put a reliable system of humanitarian assistance delivery in place and to ensure release of hostages. It is also essential that the IDF change tactics in any future operations to implement rules of engagement required by IHL.

An IDF incursion into Rafah without such rules should be met with curtailment of U.S. security assistance to Israel for military operations in Gaza. In addition, you should enforce U.S. restrictions on security assistance to those who interfere with the provision of humanitarian assistance or commit gross violations of human rights.

We are aware that there has been much discussion about governance arrangements following the end of hostilities. We strongly urge you to make clear that you will be guided by the principles you articulated last November, in particular, that “[t]here must be no forcible displacement of Palestinians from Gaza, no reoccupation, no siege or blockade, and no reduction in territory. And after this war is over, the voices of the Palestinian people and their aspirations must be at the center of post-crisis governance in Gaza.”

In conclusion, the United States must be willing to take concrete action to oppose Israeli policies and practices that 1) subjugate Palestinians to second-class political status or otherwise deny them their civil rights; 2) expand settlement activity in occupied territory; or 3) effectively deny Palestinians food, water, and other basic necessities. We urge that you make clear to the Government of Israel that such practices will be met with serious consequences, including restrictions on provision of assistance consistent with U.S. law and policy.

We deeply appreciate your consideration of our views.

Sincerely,

1. David Abramowitz, Former Acting Assistant Legal Adviser for Near Eastern Affairs.
2. J. Brian Atwood, Former USAID Administrator.
3. Henri J. Barkey, Former State Department Policy Planning Staff.
4. Rand Beers, Former NSC Deputy Homeland Security Adviser.
5. James Keough Bishop, Former U.S. Ambassador to Niger, Liberia, and Somalia.
6. Robert O. Boorstin, Former Senior Director, NSC, and Former Senior Advisor to the Secretary of State.
7. Kenneth C. Brill, Former U.S. Ambassador.
8. Charles Brown, Former Senior Advisor for Atrocity Prevention and Response, Department of Defense.
9. Steven A. Browning, Former U.S. Ambassador.
10. Rosa Brooks, Former Counselor to the Undersecretary of Defense for Policy.

11. Scott Busby, Former Deputy Assistant Secretary of State, Bureau of Democracy, Human Rights, and Labor.
12. Donald Camp, Former NSC Senior Director for South Asia.
13. Richard A. Clarke, Former National Coordinator for Security and Counterterrorism.
14. Steven Coffey, Former Deputy Assistant Secretary of State, Bureau of Democracy, Human Rights, and Labor.
15. Thomas M. Countryman, Former Assistant Secretary of State for International Security and Nonproliferation.
16. Mary Curtin, Former Political Counselor, U.S. Mission to the European Union.
17. Peter Eicher, Former U.S. Deputy Representative to the UN Commission on Human Rights.
18. Luigi R. Einaudi, Former U.S. Special Envoy for Peru-Ecuador Peace Negotiations; Former Ambassador to the Organization of American States.
19. Nancy Ely-Raphel, Former U.S. Ambassador to Slovenia.
20. Mark Fitzpatrick, former Acting Deputy Assistant Secretary of State for Nonproliferation.
21. Bennett Freeman, Former Deputy Assistant Secretary of State for Democracy, Human Rights and Labor.
22. Peter W. Galbraith, Former U.S. Ambassador.
23. Anthony W. Gambino, Former USAID Mission Director.
24. Larry Garber, Former USAID Mission Director, West Bank and Gaza.
25. Edward W. Gnehm, Former U.S. Ambassador.
26. Gordon Gray, Former U.S. Ambassador to Tunisia.
27. Robert Herman, Former Member, State Department Policy Planning Staff.
28. John D. Hutson, Rear Admiral, Judge Advocate General Corps, USN (Ret.)
29. Harold Hongju Koh, Former State Department Legal Advisor.
30. Paul D. Hughes, Colonel (Ret.), Former Director of National Security Policy, Army Staff.

31. Karl F. Inderfurth, Former Deputy U.S. Ambassador to the United Nations Security Council.
32. David R. Irvine, Brigadier General, U.S. Army (Ret.).
33. Frank Jannuzi, Former Intelligence Analyst, Bureau of Intelligence and Research, Department of State.
34. Ellen Laipson, Former Vice Chair of the National Intelligence Council.
35. Anthony Lake, Former Assistant to the President for National Security Affairs.
36. Robin Lerner, Former Deputy Assistant Secretary of State.
37. Jack F. Matlock, Jr, former NSC Senior Director for Europe and USSR; Former Ambassador to USSR and Czechoslovakia.
38. Jeff Meer, Former Special Assistant for Human Rights and Humanitarian Affairs, Office of the Under Secretary of State for Global Affairs.
39. George Moose, Former U.S. Ambassador and Permanent Representative to the U.S. Mission to the United Nations in Geneva.
40. Michael Myers, Former Director, Office of Humanitarian Affairs, Department of Defense.
41. William L. Nash, Major General, U.S. Army (Ret.).
42. Diane Orentlicher, Former Deputy for War Crimes Issues, U.S. Department of State.
43. Susan O'Sullivan, Former Director, EAP, Bureau of Democracy, Rights, and Labor, U.S. Department of State.
44. Amit A. Pandya, Former Director, Humanitarian Assistance, Office of the Secretary of Defense.
45. Ted Piccone, Former Associate Director, State Department Office of Policy Planning and former Director for Inter-American Affairs, National Security Council.
46. Stephen Rapp, Former U.S. Ambassador-at-Large for Global Criminal Justice.
47. Charles A. Ray, Former U.S. Ambassador to Kingdom of Cambodia and Republic of Zimbabwe.
48. Susan Reichle, Former USAID Counselor and Senior Foreign Service Officer.

49. Francis J. Ricciardone, Former U.S. Ambassador.
50. Bruce Riedel, Former Special Assistant to the President and Senior Director for Near East Affairs.
51. Stephen Rickard, Former Senior Advisor, Bureau of South Asian Affairs.
52. Peter F. Romero, Former Assistant Secretary of State and U.S. Ambassador.
53. Christopher Ross, Former U.S. Ambassador to Algeria and Syria.
54. Barnett R. Rubin, former senior advisor to the Special Representative for Afghanistan and Pakistan.
55. Eric Schwartz, Former Assistant Secretary of State for Population, Refugees, and Migration; Former NSC Senior Director for Multilateral and Humanitarian Affairs.
56. Mark C. Schwartz, Lieutenant General, U.S. Army (Ret.).
57. Daniel Serwer, Former Special Envoy and Minister-Counselor, U.S. Department of State.
58. John Shattuck, Former Assistant Secretary of State for Democracy, Human Rights and Labor; Former U.S. Ambassador to the Czech Republic.
59. Walt Slocombe, Former Under Secretary of Defense for Policy.
60. Gare A. Smith, Former Principal Deputy Assistant Secretary of State, Bureau of Democracy, Human Rights and Labor.
61. Gary Usrey, Former Senior Adviser for South Asia, U.S. Mission to the United Nations.
62. Earl Anthony Wayne, Former Assistant Secretary of State; Former U.S. Ambassador.
63. Marvin Weinbaum, Former Staff Member, Bureau of Intelligence and Research, U.S. Department of State.
64. Bisa Williams, Former Deputy Assistant Secretary of State, Bureau of African Affairs.
65. E. Ashley Wills, U.S. Ambassador to Sri Lanka and the Maldives
66. John Wolf, Former Deputy Assistant Secretary of State for Non-Proliferation.
67. David W. Yang, Former Deputy Assistant Administrator, Bureau for Democracy, Conflict and Humanitarian Assistance, USAID.

Copies to:

Secretary of State Antony Blinken

Secretary of Defense Lloyd Austin

USAID Administrator Samantha Power

Jake Sullivan, Assistant to the President for National Security Affairs