Executive Summary: Three months after Joe Biden entered the White House, his administration is exhibiting symptoms of naiveté, misunderstanding, and disregard for past failures in its foreign policy. These issues are of particular concern to Israel.

To stop the Iranian race to nuclear weapons, the Obama administration made mistakes in both the negotiation process and the nuclear deal it ultimately reached with Iran in 2015. Barack Obama was overly eager to reach an agreement, and though he repeatedly warned Iran that all options were on the table, it was clear he had no intention of taking military steps. This hardened Iran’s positions and eventually yielded a compromise that worked to the advantage of the Islamic regime.

The same problems have emerged again today. President Biden is going out of his way to appease Iran in an effort to restore the 2015 nuclear agreement, which imposed restrictions on the Iranian regime’s program to develop nuclear weapons.

Biden removed the Houthis (Iran-backed Shiite forces fighting the Saudi-backed Yemeni government) from a list of countries and organizations supporting terrorism. He assumed this move would reduce the violence inside Yemen and against Saudi Arabia so the severe humanitarian crisis caused by the civil war could be addressed. The result was exactly the opposite. Encouraged by Tehran, the Houthis intensified their attacks, especially on Saudi Arabia.
In February, Biden gave the go-ahead for a measured attack on a pro-Iranian militia base on the Syria-Iraq border in retaliation for an attack on a US base in Iraq. He also, however, reduced American forces in the Gulf.

Biden’s spokesmen leaked a claim to the American media that Israel attacked Iranian ships smuggling oil and weapons into Syria. More recently, they leaked information on an alleged Israeli attack on the Saviz, an intelligence ship owned and operated by the Islamic Revolutionary Guard Corps (IRGC), in retaliation for Iranian attacks on two Israeli-owned commercial ships. In doing this, Biden signaled that even if negotiations fail, he will not countenance an attack on Iranian nuclear facilities and opposes an Israeli military strike. As it did in 2015, the US administration is tacitly reassuring Iran that it need have no fear of a military attack. Because it has received this reassurance, Tehran will feel free to take tougher positions in the negotiations.

Democrats often tout human rights as a central value in their foreign policy decision-making, but their highly selective application of this principle raises questions. When Secretary of State Antony Blinken presented the 2020 State Department Report on Human Rights, he named countries seriously violating human rights such as Myanmar, Yemen, Saudi Arabia, and Syria, but omitted Iran. The report also significantly reduced the number of Iranian citizens who were murdered, wounded, and detained by the IRGC during the 2019 mass protests against the regime. A similar phenomenon occurred in 2009, when the Obama administration refrained from condemning the Iranian Islamic regime for brutally suppressing mass protests against the rigging of the presidential elections. The motivation in both cases was to avoid enraging the Islamist regime and undermining the nuclear negotiations.

All these missteps have only toughened Iran’s positions. The regime has agreed not to direct talks but to indirect pre-negotiation talks with the US in Vienna, with the other powers that signed the 2015 deal acting as mediators. This tactic is designed to prevent the US and its European allies from forming a united front. Iran has also begun enriching uranium with state-of-the-art rapid centrifuges, a move that is driving it closer toward the bomb. This is hardly a gesture in the direction of compromise and agreement; it is exactly the opposite.

Iran is insisting on two preconditions for negotiations with the US. First, it wants all sanctions imposed by President Donald Trump to be lifted, including those related to issues other than the nuclear program, such as violations of human rights. Second, it demands a return to the terms of the 2015 agreement without any changes or amendments. Iran is thus signaling to the US that it expects concessions before it agrees to begin negotiations. In a
timid response, the Biden administration said Iran doesn’t have to be the first side to make a concession.

Vis-à-vis international organizations, President Biden is reversing US policy. Secretary of State Blinken announced that the US will rejoin the UN Human Rights Council (UNHRC) and lift the personal sanctions Trump imposed on Fatou Bensouda, the outgoing prosecutor of the International Criminal Court in The Hague (ICC). Trump imposed sanctions on Bensouda and her team over her decisions to investigate the US and Israel for alleged war crimes in Afghanistan and the Palestinian territories, respectively.

Trump rightly withdrew the US from the UNHRC because it is a ludicrous, highly politicized body dominated by countries that are among the world’s worst violators of human rights, such as China, Russia, Cuba, Pakistan, Libya, Venezuela, and Somalia. The UNHRC is also an antisemitic body. It has one agenda item just for Israel and another for the rest of the world. It often publishes biased and false reports on Israel—and it is upon these reports, among other things, that Bensouda based her decision to investigate Israel.

Secretary of State Blinken explained that the return of the US to the UNHRC is intended to fix its poor performance and deficiencies from within. This is a waste of time. Blinken has clearly learned nothing from similar policy failures in the past. The current UNHRC was formed in 2006 after its predecessor, the Human Rights Committee, was dismantled because it was highly politicized and constantly failed to deal with the issues for which it had been founded. The Bush administration was unimpressed with the name change and demanded significant reforms of the UNHRC’s structure and conduct. The Council refused, and Bush decided to keep the US out of it.

The Obama administration reversed this policy, claiming that the US was joining the Council to repair it from the inside. But nothing changed. Trump demanded changes in the Council’s functioning, was rebuffed, and withdrew the US from its ranks in 2018. The Biden administration’s return to the Council indicates the resurrection of naive assumptions that have been proven wrong time and again.

When lifting the sanctions imposed on ICC Prosecutor Bensouda, Blinken reiterated Washington’s criticism of her decision to investigate the US and Israel but argued that the way to deal with it is through talks and persuasion rather than sanctions. This, too, is a self-deluding belief. Blinken ignored Bensouda’s endemic hostility to the US and Israel and her clear attempt to force the investigations on her successor, Karim Khan, two months before her retirement.
Blinken should have conditioned the lifting of sanctions on Bensouda on her refraining from opening the investigation of Israel and leaving the decision to her successor. He didn’t do this. If Khan decides to continue the investigation of Israel, equal treatment of states requires that he either open an investigation of the US as well or prove the saying “might is right,” which would cause even more damage to the dysfunctional ICC.

Biden is reversing Trump’s decisions to stop several hundred million dollars’ worth of annual US aid to the Palestinian Authority (PA) and the UN Relief and Works Agency (UNRWA) for Palestinian Refugees. Here, too, opportunities for necessary and long overdue reforms have been missed. Biden could have conditioned the resumption of aid on the PA’s setting up transparency procedures that would clearly verify where the money goes. A significant portion of international aid to the Palestinians lands in the pockets of their leaders. Since Biden opposes the ICC’s preoccupation with the Israeli-Palestinian conflict, he could have demanded that the Palestinians withdraw their complaint to the ICC, which was filed in flagrant violation of the Oslo Accords and was behind the ICC’s decision to investigate Israel.

As a recent investigation showed, UNRWA is a corrupt institution that perpetuates the Palestinian refugee problem and allows its institutions to conduct antisemitic incitement against Israel. Biden could have demanded the abolition of UNRWA and the transfer of treatment of the Palestinians to the UN High Commissioner for Refugees, the agency that handles refugees from everywhere else in the world.

Biden’s policies follow the values and principles of the Democratic Party—but for the most part, appeasement of foreign actors achieves exactly the opposite results from those intended. This is not how a superpower should project influence and deterrence against extremist authoritarian regimes like Iran and corrupt international organizations like the UNHRC and the ICC. Trump left Biden with leverage in terms of pressure and influence, but instead of using it to achieve US foreign policy goals, Biden has been giving it away for free. Biden’s missteps on Iran, the Palestinians, and international organizations are jeopardizing Israel’s key national interests and will therefore require a calculated and cautious approach.

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