As Palestinians Head Back to the UN, Cause for Concern in Israel

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By Raphael Ahren

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Unlike last time Israel faced a hostile resolution at the United Nations Security Council, in December 2014, this time there is virtually no chance that it will fail to garner the required majority.

That means that the key to fending off the latest Palestinian attempt to get Israel condemned at the UN’s most important body lies with US President Barack Obama. He will be in the awkward position of having to either veto a resolution despite agreeing with its content, or to abstain, thus further alienating America’s staunchest ally in the Middle East and allowing political opponents at home to portray his party as anti-Israel.

The plan to bring another [anti-settlement resolution](http://www.timesofisrael.com/palestinian-un-draft-calls-to-resolve-final-status-issues-within-a-year/) to the Security Council is thus slated to become a veritable litmus test of US-Israel relations, nearly half a year before America elects a new president.

Palestinian Authority President Mahmoud Abbas is expected to use his upcoming trip to the UN in New York — where he is slated to attend a [signing ceremony for the historic climate agreement](http://www.un.org/sustainabledevelopment/blog/2016/01/world-leaders-invited-to-paris-agreement-signing-ceremony-on-april-22/) reached in Paris in December — to launch yet another attempt to the get the UN to condemn Israel’s actions in East Jerusalem and the West Bank.

“The Security Council is a very important subject because it has now become urgent due to settlement activities and because Israel has not stopped these activities,” Abbas [told AFP](http://www.timesofisrael.com/un-resolution-on-israeli-settlements-urgently-needed-abbas-says/) on Tuesday.

A [leaked draft](http://un-report.blogspot.co.il/2016/04/palestinian-draft-resolution-calls.html) of the proposed resolution expresses “grave concern” over dwindling prospects of a two-state solution and calls on Israel to “immediately and completely cease all settlement activities in the Occupied Palestinian Territories, including East Jerusalem.”

The draft further urges the “intensification and acceleration of international and regional diplomatic efforts and support aimed at achieving, without delay, an end to the Israeli occupation that began in 1967.”

The draft does not explicitly set a 12-month deadline for negotiations on a final peace deal with Israel and an imposed full Israeli withdrawal from the West Bank and East Jerusalem within three years, as a resolution proposed in late December 2014 did. That resolution got eight yes votes, two no votes and five abstentions, [and thus failed to pass](http://www.timesofisrael.com/a-stinging-defeat-for-abbas-but-no-great-victory-for-israel/).

For a resolution to pass it needs nine votes from the council’s 15 members. If that were to occur, one of its five permanent members — the US, the UK, China, France and Russia — could veto the resolution.

#### Only a US veto can stop the resolution

Since 2014, the makeup of the Security Council has changed in the Palestinians’ favor, and there is virtually no chance for Israel to stave off a resolution critical of settlements.

China, Russia, Egypt, Malaysia, Senegal, Venezuela and France are certain to support the draft. Given that the universally accepted view among the international community is that Israeli settlements are illegal, it is also safe to assume the remaining members of the council — Britain, Angola, Japan, New Zealand, Spain, Ukraine and Uruguay — would support the Palestinian proposal. The US thus remains the only wildcard in the upcoming diplomatic showdown at Turtle Bay.

In February 2011, a resolution condemning Israel’s settlements — without establishing deadlines for in Israel withdrawal — got 14 yes votes but [stumbled over Washington’s veto](http://www.un.org/apps/news/story.asp?NewsID=37572#.VwytSDZ95FR).

And even then, the Americans made it clear that they do not disagree with the resolution’s content but merely take issue with using the Security Council as a tool to advance the stalled peace process.

“Our opposition to the resolution before this council today should therefore not be misunderstood to mean we support settlement activity,” Susan Rice, then the US’s ambassador to the UN and today Obama’s national security adviser, [declared at the time](http://usun.state.gov/remarks/4978). “On the contrary, we reject in the strongest terms the legitimacy of continued Israeli settlement activity.”

The Israeli-Palestinian conflict cannot be solved by even the best-intentioned outsiders, Rice said at the time. “Therefore every potential action must be measured against one overriding standard: Will it move the parties closer to negotiations and an agreement? Unfortunately, this draft resolution risks hardening the positions of both sides. It could encourage the parties to stay out of negotiations and, if and when they did resume, to return to the Security Council whenever they reach an impasse.”

And while she ultimately stood alone in voting against the Palestinian resolution, she concluded her remarks by making plain that Washington agrees with the world about the “folly and illegitimacy of continued Israeli settlement activity.”

‘Our preference is that any kind of an agreement on final status negotiations take place by the parties’

Nothing has changed since 2011 when it comes to the principle she described — that even if settlements are bad, unilateral moves at the UN are futile and potentially even counterproductive — but these days the administration adamantly refuses to assure Israel of another veto.

“I’m not going to get into hypotheticals,” State Department spokesperson Mark Toner said Monday, arguing that he has seen only a “very early drafts” of the resolution. While the US deems settlements “illegitimate” and “counterproductive to the cause of peace,” the American position regarding unilateral moves at the UN has not changed, he added. “Our preference is that any kind of an agreement on final status negotiations… take place by the parties.”

#### Which way will the US go?

It is difficult to gauge whether the US will once again take an isolated stance and veto a resolution. On the one hand, there are several reasons to assume that the Obama administration could abstain and allow it to pass.

For one, the US needs regional Arab allies in its fight against the Islamic State group and may not want to antagonize them over the Palestinian question. Furthermore, Obama — who, during his last months in office is keen on leaving a tangible legacy in the region — might still be bitter over Prime Minister Benjamin Netanyahu’s blatant effort to thwart the nuclear deal with Iran by addressing the US Congress and trying to get American Jews to oppose their government.

Obama would not be the first president to support Security Council resolutions critical of Israel. In fact, he is the only president since the 1967 Six Day War to have blocked all such efforts, Lara Friedman, of Americans for Peace Now, [noted this week](http://www.nytimes.com/2016/04/12/opinion/international/israels-unsung-protector-obama.html?_r=2) in The New York Times.

On the other hand, failure to block the resolution would give ample ammunition to domestic political opponents trying to portray the Democrats as anti-Israel, and threatens to erode Jewish support for the party ahead of the November presidential elections.

Israeli officials this week refused to comment on the Palestinians’ demarche, but Netanyahu on Thursday called it a “step that will push negotiations further away,” arguing that peace can only be advanced through direct bilateral negotiations.

Last month, responding to a question posed by The Times of Israel, on whether he was concerned that Washington could support, or at least refrain from opposing, a Palestine-related resolution at the UN , Netanyahu said that it has been the “traditional policies of US governments to oppose” unilateral efforts to advance the Israeli-Palestinian peace process. All US presidents, including Obama, support this view, [the prime minister added](http://www.timesofisrael.com/netanyahu-links-is-to-palestinians-says-all-terrorism-has-same-goal/).

He then quoted verbatim from [a speech Obama delivered in 2011](https://www.whitehouse.gov/the-press-office/2011/09/21/remarks-president-obama-address-united-nations-general-assembly) at the UN General Assembly: “Peace will not come through statements and resolutions at the United Nations… Ultimately, it is the Israelis and the Palestinians — not us — who must reach agreement on the issues that divide them.

“That is to say that peace won’t come from dictates at the UN or the Security Council,” Netanyahu said, looking up from his notes. “I agree entirely with this position.”

Still, the fact that he had to look up a speech delivered by Obama five years ago shows he is worried the US position might have changed.