

ICEJ Issue Brief

Unilateral Declaration of Palestinian Statehood

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Background

Rather than responding to Israel's efforts to negotiate peace, the Palestinian Authority (PA) is abandoning the peace process and engaging in diplomatic warfare against the Jewish state in a bid to use the leverage of the international community to impose a settlement on Israel. Thus, Palestinian Authority President Mahmoud Abbas will ask the United Nations to recognize Palestine as a sovereign state on September 20th, at the annual opening of the UN General Assembly in New York. Abbas will personally present the request to UN Secretary General Ban Ki-moon who, in turn, will present it to the Security Council.

The US Administration has publicly said it would veto such a vote in the Security Council but pressure is needed to ensure they stick to their commitment and actively oppose its presentation to the General Assembly.

The Palestinian Authority's goals in this declaration are multi-layered:

- An international vote for Palestinian Statehood would strengthen their negotiating position with Israel if they chose to engage in direct talks at a later date;
- The vote implicitly blames Israel for the lack of Palestinian statehood rather than addressing the consistent pattern of Arab rejectionism which, for 80 years, has consistently refused to accept numerous offers of Palestinian statehood. As such it is part of a wider strategy to delegitimize and demonize Israel;
- A unilateral declaration of statehood would give the Palestinians the legitimacy they seek without the need to engage Israel in good faith negotiations. In so doing, the PA would circumvent the need to recognize Israel's right to exist as a homeland for the Jewish people;
- Such a declaration would be a springboard to pave the way to pursue claims against Israel at the UN, Humans Rights bodies and the International Court of Justice in The Hague.

Implications for Israel

- The most significant challenge for Israel is that international recognition of Palestinian statehood would effectively endorse the declared Palestinian position on a number of so-called 'final status' issues that previous peace agreements have insisted should be determined through direct negotiations between the parties to the Middle East conflict. This means the UN may try to force Israel to:
 - Return to 1949 armistice lines (so called "1967 Borders") without any land swaps, or recognition of the demographic realities of Israeli settlements. Dubbed the 'Auschwitz borders' by Abba Eban (the late Israeli ambassador to the UN) due to their military indefensibility, a return to the 1949 Armistice lines would put Israel back in a position where is less than twelve miles wide at its narrowest point. It would also require the forced uprooting of hundreds of thousands of Israelis living in the major urban areas of Ariel and Ma'ale Adumim.
 - Recognize Jerusalem as the capital of the Palestinian State despite the fact that no member of the international community has recognized Jerusalem as the capital of Israel, once again dividing the city in two and putting some of the holiest sites in Judaism and Christianity under the control of a hostile Islamic entity. Alternatively it could mean a return to the 1947 UN Partition Plan under which Jerusalem is placed under international control.
 - Accept an influx of up to four million Palestinian refugees worldwide who for generations have been seeking the "right to return" to their homes inside Israel proper; thus undermining the Jewish character of the state of Israel.
- An unstable neighboring state, with two governing parties, one of which – Hamas - is a terrorist organization committed to the destruction of Israel and is funded, trained and armed by Iran.
- Increased delegitimizing and demonizing of Israel even though its government has, sought serious, direct talks without preconditions with the Palestinian Authority for the past two years while reducing barriers to movement in the West Bank and implementing an unprecedented 10-month moratorium on all building within existing settlement blocs.

Implications for the Palestinians

- Possible decrease of international funding from the US and European Union in addition to the risk of losing large UN subsidies for vast segments of the Palestinian 'refugee' population in Gaza. These financial contributions are largely based on the assumption that Palestinian civic society is unable to support itself and its population is 'stateless' due to the Israeli 'occupation.' These assumptions would be undermined by the declaration of statehood and any subsequent cuts in international funding could lead to increased levels of unrest within the Palestinian-control territories.
- There is a real possibility that should statehood be granted, it would swiftly be engulfed in civil war. Hamas, who rules the Gaza Strip, will not recognize Mahmoud Abbas - head of the PLO's governing 'Fatah' faction in the West Bank - as President of the joint Palestinian State. In fact, Abbas has little democratic legitimacy since he is accountable to a legislature (Palestinian General Assembly) that never meets, he has repeatedly suspended elections and extended his own term. All these actions are illegal under the existing Palestinian constitution.
- Possible intensification of conflict due to Hamas' refusal to accept any Palestinian statehood that does not involve the eradication of the existing State of Israel.

Implications for the United States

If the US government does not veto the Palestinian bid for recognition of statehood in the UN Security Council and allows this unilateral declaration to be ratified on the floor of the General Assembly, then the United States will:

- Be complicit in an illegal declaration that violates previous Israeli-Palestinian agreements, international laws, UN resolutions, and Quartet requirements,
- Share responsibility with the international body when innocent Palestinians and Israelis are killed in the violence and chaos that will follow, and
- Will be held accountable spiritually for participating in an unprecedented historical act in which the nations of the world seek to forcefully divide the land of Israel (Joel 1:1-3) and attempt to remove Jerusalem from the Jewish people (Zechariah 12-14). This is a very serious decision with serious ramifications.

It is thus essential that the United States clearly oppose Palestinian statehood efforts at the United Nations in September. Israeli-Palestinian peace can only be achieved through direct talks, not unilateral actions intended to isolate one party. If the PA continues down this destructive path, the United States should reexamine its relationship with the PA and suspend all forms of financial aid and assistance to the Palestinians.

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