Choosing not to veto, Obama lets anti-settlement resolution pass at UN Security Council

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In a stunning departure from its policy over the last eight years, the Obama administration abstained from voting on a United Nations Security Council resolution Friday that demands an immediate halt to all Israeli settlement construction in the West Bank and East Jerusalem, enabling the measure to pass.

Resolution 2334 was approved with 14 member states voting in favor, none voting against and one abstention — the United States. The passage of the resolution was met with applause in the packed chamber.

The text also calls on all states “to distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied since 1967” — language that Israel fears will lead to a surge in boycott and sanctions efforts, and that an Israeli official warned would provide “a tailwind for terror.”

Israeli minister Yuval Steinitz, speaking after the vote, said the US had “abandoned Israel, its only ally in the Middle East” and said its behavior was not that of a friend.

The Palestinian Authority hailed “a day of victory.”

Speaking at the Security Council after the vote, US Ambassador Samantha Power said the decision underlined the Council’s long-standing position that “the settlements have no legal validity.” She claimed the US position was “fully in line with the bipartisan history” of how US presidents have approached the issue for decades.

The US did not agree with every word of the resolution, she said, and therefore had not voted in favor. But “we cannot stand in the way of this resolution,” she said, in the quest for “two states living side by side in peace and security.”

“The settlement problem has gotten so much worse,” she said, that it was now endangering that solution. “One has to make a choice between settlements and separation,” she said.

Still, she stressed, peace would not be at hand were every settlement dismantled tomorrow. “We would not have let this resolution pass had it not also addressed counter-productive actions by the Palestinians,” she said, citing terrorism and incitement. She also said the vote did not diminish the United States’ unparalleled commitment to Israel’s security.

A succession of Security Council ambassadors similarly castigated settlement expansion as threatening the viability of a two-state solution.

Originally initiated by Egypt, the resolution was co-sponsored by New Zealand, Malaysia, Venezuela and Senegal, who stepped in a day after Egyptian President Abdel Fattah el-Sissi withdrew the measure amid pressure from Israel and President-elect Donald Trump.

Introducing the resolution, Malaysia said the move was made more urgent by Israeli moves to retroactively legalize outposts built on private Palestinian land in the West Bank.

Shortly before the vote, an Israeli official used unprecedentedly harsh language to accuse the Obama administration of scheming with the Palestinians to harm Israel with the resolution.

 “The US administration secretly cooked up with the Palestinians an extreme anti-Israeli resolution behind Israel’s back which would be a tailwind for terror and boycotts and effectively make the Western Wall occupied Palestinian territory,” the official said. (The draft resolution refers to East Jerusalem as “occupied Palestinian territory.)

Palestinian and Egyptian officials met earlier in the month with State Department officials in Washington, Channel 2 noted Friday evening, and it was in those talks, Israel believes, that plans were coordinated to push through the anti-settlements resolution. Hence the official’s reference to the US administration having “cooked up” the resolution.

“This is an abandonment of Israel which breaks decades of US policy of protecting Israel at the UN and undermines the prospects of working with the next administration of advancing peace,” the official added.

The US denied the allegations. “Contrary to some claims, the administration was not involved in formulating the resolution nor have we promoted it,” the unnamed official [told Reuters.](http://www.reuters.com/article/us-israel-palestinians-un-denial-idUSKBN14C1TK)

Israeli cabinet minister Tzachi Hanegbi said the US vote also “spits in the face” of incoming president Donald Trump.

On Thursday morning Trump posted on his social media accounts that the resolution was “extremely unfair” to Israelis, and took the extraordinary step of urging the outgoing president to veto it.

“As the United States has long maintained, peace between the Israelis and the Palestinians will only come through direct negotiations between the parties, and not through the imposition of terms by the United Nations,” Trump said on Facebook.

The 15-member council had been due to vote on Thursday, but after Israeli diplomats made behind-the-scenes overtures with Egypt and Trump forcefully intervened after Israeli officials contacted his team for help blocking the measure, Sissi postponed the vote indefinitely.

It was soon leaked by Western officials that Obama had been planning to let the resolution pass via abstention, but this was not confirmed.

Channel 2 news reported on Friday evening that in a phone call to Netanyahu on Thursday, Kerry refused to commit to vetoing the resolution.

Prime Minister Benjamin Netanyahu called on the US on Thursday to veto the resolution. In a video statement, the Israeli prime minister implored the Obama administration to “stand up in the UN and veto anti-Israel resolutions,” designating that position “one of the great pillars of the US-Israel alliance.”

“I hope the US won’t abandon this policy,” Netanyahu said. “I hope it will abide by the principles set by President Obama himself in his speech in the UN in 2011: That peace will come not through UN resolutions, but only through direct negotiations between the parties. And that’s why this proposed resolution is bad. It’s bad for Israel; it’s bad for the United States and it’s bad for peace.”

The [resolution submitted by Cairo](http://www.timesofisrael.com/full-text-of-draft-un-security-council-resolution-demanding-israel-cease-all-settlement-activities/) called on Israel to “immediately and completely cease all settlement activities in the occupied Palestinian territory, including East Jerusalem.”

It further expressed “grave concern that continuing Israeli settlement activities are dangerously imperiling the viability of the two-state solution,” and called on all states “to distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied since 1967,” which some analysts say invites boycotts of Israeli settlements goods.

The text also condemns “all acts of violence against civilians, including acts of terror, as well as all acts of provocation, incitement and destruction,” which some in the international community understand as turning the resolution into a “balanced” text.

Until Friday, Obama had not allowed passage of any Security Council resolution critical of Israel over the course of his presidency, and had set out a deliberate policy of blocking such resolutions.

By contrast, [a considerable line of his predecessors](http://www.nytimes.com/2016/04/12/opinion/international/israels-unsung-protector-obama.html?_r=0&mtrref=undefined&assetType=opinion) have allowed similar measures to pass.

Former presidents Lyndon Johnson, Richard Nixon and Gerald Ford all permitted the UN General Assembly and/or the Security Council to adopt resolutions critical of the Jewish state; Ronald Reagan reportedly saw 21 measures through the international body, while George H.W. Bush allowed nine, Bill Clinton three and George W. Bush six.

In November 1981, for instance, the Reagan administration [voted in favor of a General Assembly resolution condemning Israel’s air strikes](http://www.un.org/documents/ga/res/36/a36r027.htm) on an Iraqi nuclear reactor, which was part of a campaign to prevent Iraq from fulfilling its nuclear aspirations. That measure also called on the Security Council to “investigate Israel’s nuclear activities” and have the country’s own nuclear sites subjected to international monitoring.

In May 2004, the Bush administration abstained from voting on [a draft resolution at the Security Council condemning Israel for demolishing Palestinian homes](http://www.un.org/press/en/2004/sc8098.doc.htm) in Gaza amidst the Second Intifada.

Using language that has often been included in resolutions targeting Israel throughout the years, the measure stated “the obligation of Israel, the occupying Power, to abide scrupulously by its legal obligations and responsibilities under the Fourth Geneva Convention,” a treaty adopted in 1949 that is often cited by settlement critics to designate those communities a violation of international law.

For the last eight years, however, Obama has made it his policy to protect Israel from “one-sided” resolutions at the United Nations critical of Israel.

Under Obama, the US in 2011 used its veto power to block a similar measure to the one adopted Friday.

During his address that September at the UN General Assembly, the president stated, “Peace is hard work. Peace will not come through statements and resolutions at the United Nations — if it were that easy, it would have been accomplished by now.”

As the vote neared Friday, a number of high-profile Democrats issued public statements urging Obama to veto the resolution.

Most notably, New York Sen. Chuck Schumer, one of the most prominent Jewish members of Congress and the new Senate minority leader, said he had “spoken directly to the administration numerous times” and “in the strongest terms possible” urged them to veto.

Meanwhile, Congressional Republicans were also voicing their own indignation.

South Carolina Sen. Lindsey Graham [threatened to](https://twitter.com/LindseyGrahamSC/status/812333228656836608) “form a bipartisan coalition to suspend or significantly reduce United States assistance to the United Nations” if the international body went through with the resolution.