Palestinians Seek UN Security Council Resolution Declaring West Bank Settlements Illegal

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The Palestinian Authority is trying to advance a resolution in the UN Security Council that will condemn the settlements in the West Bank and declare them illegal under international law and an obstacle to peace.

Senior Palestinian and Israeli officials say that the PA has been in contact with France, Spain and Egypt, all members of the Security Council, to get them to draw up such a resolution and support it.

Several weeks ago Palestinian Foreign Minister Riyad al-Maliki visited Paris, where he met with French Foreign Minister Laurent Fabius and discussed submitting such a resolution. Fabius himself has been weighing such a move for several months, and raised it for the first time at a meeting of the foreign ministers of the Middle East Quartet (United States, Russia, UN and EU) that took place on the sidelines of the UN General Assembly at the end of September.

Ten days ago Maliki visited Cairo and discussed the move with Egyptian Foreign Minister Samech Shoukry. Egypt recently became a member of the Security Council, replacing Jordan as a representative of the Arab world. While in Cairo, Maliki also met with Saudi Foreign Minister Adel al-Jubeir and updated him on his discussions with Fabius in Paris. Maliki asked Jubeir to pressure France to advance the resolution in the Security Council.

At the same time, PLO Executive Committee secretary Saeb Erakat met with Arab League Secretary-General Nabil Elaraby to begin discussing a draft resolution that would get Arab support. This week Maliki was in Madrid to discuss the resolution with his Spanish counterpart.

Israel fears that Fabius will want to advance a Palestinian-related resolution as one of the last things he does before leaving his post in a few weeks. Senior Israeli diplomats who recently visited Paris said that the message they got from senior French Foreign Ministry officials was that no decision has been made on submitting a Security Council resolution – neither on the settlements nor on principles for resolving the Israeli-Palestinian conflict.

On the other hand, the French inserted a clause into the resolution on distinguishing Israel from the settlements adopted by the EU foreign ministers earlier this week, calling for the weighing of actions in the UN Security Council in an effort to formulate a multilateral approach to the peace process.

Prime Minister Benjamin Netanyahu, who is in Davos for the annual World Economic Forum, will be meeting on the sidelines of that conference Thursday with U.S. Vice President Joe Biden and will have a separate meeting with U.S. Secretary of State John Kerry. Palestinian efforts to advance resolutions in the Security Council are expected to be discussed.

The big question mark is what the U.S. position will be. The White House hasn’t yet decided whether to resume involvement in the Israeli-Palestinian issue during the last year of President Barack Obama’s term. Meetings at the White House and the State Department have come up with various proposals but Obama has yet to hold any discussions on the matter.

Senior Israeli officials noted that Jerusalem fears that during his last year in office Obama may not veto a resolution on the Israeli-Palestinian issue in the Security Council, particularly given the increasing U.S. criticism of Israeli settlement policy. Palestinians, on the other hand, believe America will scuttle any resolution on settlements, either by pressuring member countries to vote against it, or by vetoing it.

In February 2011 the United States vetoed a similar resolution on the settlements, even though the wording of the resolution was almost totally congruent with the administration position on the issue. Since then the United States has blocked at least three efforts to pass Security Council resolutions on the Palestinian issue. In 2012, it was a Palestinian-Arab initiative to vote on accepting Palestine as a full member of the UN; in 2014 it was a French initiative to advance a resolution that would present principles for resolving the Israeli-Palestinian conflict, and the third time, also in 2014, it was a Jordanian-Palestinian effort to advance a similar resolution, which came to a vote but was defeated without the United States having to veto it.