U.S. to UN: You yourself rejected withdrawal to ’67 lines - analysis

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The Trump administration challenged the UN’s claim that Israel must withdraw to the pre-1967 lines, in an opinion piece two of its top officials published on Wednesday in The Wall Street Journal.

US Secretary of State Mike Pompeo and US Ambassador to Israel David Friedman argued that the historic Security Council Resolution 242 – which the international community often cites as the basis of its claim that Israel is required to relinquish all territory it acquired during the June 1967 Six Day War – bolsters the international legitimacy of the Trump administration’s decision to recognize Israeli sovereignty over the Golan Heights, which Israel captured from Syria in 1967.

Their argument, however, could also be applicable to the West Bank, which Israel captured from Jordan in 1967.

Speculation is high that the Trump peace plan, which is expected to be released in early June, would allow for Israel to retain control of all the settlements located in Area C of the West Bank.

Arguments about Resolution 242 – passed in November 1967 – have often centered around a single sentence, which calls for the “withdrawal of Israeli armed forces from territories occupied in the recent conflict.”

Those who believe the West Bank is occupied argue that the resolution speaks of a full withdrawal, whereas others say that the use of the word “territories” rather than the phrase “the territories” implies that Israel has to withdraw from only some, but not all, of the territories.

Pompeo and Friedman focused their argument on the issues of security, saying that Resolution 242 allows for Israel to retain territory acquired in the 1967 war for security reasons.

“It provides that Israel would withdraw from some – but not necessarily all – territory captured in 1967 in keeping with that objective,” Pompeo and Friedman wrote in the opinion piece.

Israel’s former ambassador to the UN Dore Gold said a security rationale for retaining territory “is even stronger in the West Bank” than it is on the Golan.

The previous claimant to sovereignty in the West Bank was Jordan, which acquired the territory during the 1948 War of Independence, Gold explained.

The claim was recognized only by Pakistan and Great Britain, he said.

In contrast, many countries recognized Syria’s previous standing on the Golan, even though Syria was an aggressor in the 1967 war, Gold said.

He pointed to the letter former US president George Bush wrote to former Israeli prime minister Ariel Sharon in 2004 about the terms of a peace deal with the Palestinians. In that letter Bush stated that, for security reasons, Israel is not required to fully withdraw to the pre-1967 lines.

Bush also used as his rationale Security Council resolutions 242 and 338, passed after the 1973 Yom Kippur War.

“As part of a final peace settlement, Israel must have secure and recognized borders, which should emerge from negotiations between the parties, in accordance with UNSC Resolutions 242 and 338,” Bush wrote.

“In light of new realities on the ground, including already existing major Israeli populations centers, it is unrealistic to expect that the outcomes of final status negotiations will be a full and complete return to the armistice lines of 1949, and all previous efforts to negotiate a two-state solution have reached the same conclusion,” Bush wrote.

In The Wall Street Journal on Wednesday, Pompeo and Friedman wrote that “President Trump’s Golan proclamation [in March] is entirely consistent with Resolution 242.”

Syria was the only warring party in the Six Day War to ignore the resolution in 1967, they explained. Syria later signed Resolution 338, which made 242 applicable to all, they added.

Resolution 242 calls for every country to live “within secure and recognized boundaries free from threats or acts of force.” Israel has given back 88% of the territory it captured in 1967. But with regards to Israel and the Golan Heights, Pompeo and Friedman believe that “Syria is a different story.”

“In word and deed, Damascus has for 52 years rejected the negotiating framework of Resolution 242,” the two officials wrote. “It has maintained a state of war with Israel since Israel became independent in 1948,” never allowing Israel to live in secure borders without threat.

“By affirming Israel’s sovereignty over the Golan Heights, the president has afforded Israel the only secure and recognized boundary that can exist under the circumstances – the objective of Resolution 242.”

Friedman and Pompeo added that if Israel does not maintain control of the Golan Heights, Bashar Assad or Iran will take control, giving the world a choice: “a dictator of a nonfunctioning state or a peaceful and democratic ally.”