

Middle East Notes,
Maryknoll Office for Global Concerns
January 5, 2017



Please note: Opinions expressed in the following articles do not necessarily reflect the opinion of the Maryknoll Office for Global Concerns.

[Read previous weeks' Middle East Notes](#)

The six featured articles and the related links in this issue of the Middle East Notes focus on analysis of the UN Security Council's Resolution 2334; Kerry's recent speech warning Israel of the implications of a "one state" solution; hopes and concerns about the multilateral Palestinian-Israeli peace conference scheduled to be held in Paris on January 15; and the opinion that the two state solution is already no longer possible.

Commentary: The UN Security Council Resolution 2334, Kerry's recent speech, and the possible agenda of the foreign ministers' upcoming meeting in Paris, all clearly state or will state an obvious choice which must be made by the Israeli government and people. They must choose between a just and viable two state solution – which would make possible a democratic Israel with a Jewish majority – or a bi-national state solution of Jews and Palestinians in which the Palestinians would be a majority.

For this bi-national state to be democratic, all of its citizens would have to have equal voting thus ending the dream of a majority Jewish state; or the vote would be restricted to Jews only, making this Israel an apartheid state. This is a choice for the Israelis; the majority of Palestinians between the Mediterranean Sea and the Jordan River believe that they are already living in an apartheid state. The nations of the world, including Israel's best friends, are trying to awaken Israel to the reality that the status quo situation of expanding settlements and military rule over the Palestinians is clearly unsustainable, and that the Israelis must choose a future of peace and justice or one of increasing violence and deteriorating relations with the democratic nations of the world.

Featured articles:

- UN Security Council's Resolution 2334 and members of the Security Council on December 23, 2016.
- Barak Ravid in Haaretz gives his answers to such questions as: Can Trump's administration overturn the Security Council resolution on Israeli settlements? Why didn't Putin veto it? What are the short- and long-term implications?
- Barak Ravid again in Haaretz notes that in his speech strongly critical of Israeli government, Kerry warned against a one-state reality and laid out principles of future peace agreement.
- The Ma'an News Agency reports that France's Foreign Minister announced on December 23, 2016 that a date: January 15, 2017, has been set for a much anticipated, multilateral Palestinian-Israeli peace conference, scheduled to be held in Paris.
- Barak Ravid writes in Haaretz that the Israeli government is concerned that foreign ministers' meeting in Paris, scheduled for January 15, will result in a Security Council vote on the Israeli-Palestinian peace process.
- Gideon Levy states in Haaretz that supporters of a two-state solution respond aggressively to anyone who tries to undermine their magical faith in a miracle that what is dead will somehow be resurrected.

1) [Security Council resolution calls Israel to cease all settlement activities](#)

“The Security Council,

“Reaffirming its relevant resolutions, including resolutions 242 (1967), 338 (1973), 446 (1979), 452 (1979), 465 (1980), 476 (1980), 478 (1980), 1397 (2002), 1515 (2003), and 1850 (2008),

“Guided by the purposes and principles of the Charter of the United Nations, and reaffirming, inter alia, the inadmissibility of the acquisition of territory by force,

“Reaffirming the obligation of Israel, the occupying Power, to abide scrupulously by its legal obligations and responsibilities under the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice,

“Condemning all measures aimed at altering the demographic composition, character and status of the Palestinian Territory occupied since 1967, including East Jerusalem, including, inter alia, the construction and expansion of settlements, transfer of Israeli settlers, confiscation of land, demolition of homes and displacement of Palestinian civilians, in violation of international humanitarian law and relevant resolutions,

“Expressing grave concern that continuing Israeli settlement activities are dangerously imperilling the viability of the two-State solution based on the 1967 lines,” ...

“Condemning all acts of violence against civilians, including acts of terror, as well as all acts of provocation, incitement and destruction,

“Reiterating its vision of a region where two democratic States, Israel and Palestine, live side by side in peace within secure and recognized borders,

“Stressing that the status quo is not sustainable and that significant steps, consistent with the transition contemplated by prior agreements, are urgently needed in order to (i) stabilize the situation and to reverse negative trends on the ground, which are steadily eroding the two-State solution and entrenching a one-State reality, and (ii) to create the conditions for successful final status negotiations and for advancing the two-State solution through those negotiations and on the ground,

1. *Reaffirms* that the establishment by Israel of settlements in the Palestinian territory occupied since 1967, including East Jerusalem, has no legal validity and constitutes a flagrant violation under international law and a major obstacle to the achievement of the two-State solution and a just, lasting and comprehensive peace;

2. *Reiterates* its demand that Israel immediately and completely cease all settlement activities in the occupied Palestinian territory, including East Jerusalem, and that it fully respect all of its legal obligations in this regard;” ...

5. *Calls* upon all States, bearing in mind paragraph 1 of this resolution, to distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied since 1967” ...

[Permanent and Non-Permanent Members on December 23, 2016](#)

- 5 permanent members: [China](#), [France](#), [Russian Federation](#), [the United Kingdom](#), and [the United States](#),
- 10 non-permanent members elected for 2-year terms by the General Assembly (with end of term date):
 - [Angola](#) (2016)
 - [Egypt](#) (2017)
 - [Japan](#) (2017)
 - [Malaysia](#) (2016)
 - [New Zealand](#) (2016)
 - [Senegal](#) (2017)
 - [Spain](#) (2016)
 - [Ukraine](#) (2017)
 - [Uruguay](#) (2017)
 - [Venezuela \(Bolivarian Republic of\)](#) (2016)

2) [Analysis Understanding the UN Resolution on Israeli Settlements: What Are the Immediate Ramifications? Barak Ravid, Haaretz, December 24, 2016](#)

“Can Trump's administration overturn the Security Council resolution on Israeli settlements? Why didn't Putin veto it? What are the short- and long-term implications?”

“A guide to make sense of the mess.”

“The resolution against Israeli settlements adopted by the United Nations Security Council Friday sent out diplomatic, political and media shockwaves. After thousands of reports, analyses and spins, here is a guide to make sense of the mess.”

“Is this the first UNSC resolution concerning Israeli settlements? No. But it is the first to deal so specifically with the settlements in over 35 years.” ...

“Is this the first time an American president declines to veto a UNSC resolution on Israel-Palestine? No. Since 1967, all U.S. presidents have allowed the adoption of Security Council resolutions.” ...

“Did Obama break a decades-long tradition according to which presidents don't make policy changes in the interim between administrations? No. Quite a few presidents have used the interim period between the election of a new president and his inauguration in which they are freed from political constraints to carry out far reaching foreign policy changes” ...

“Does the resolution change the legal status of the settlements, which are already illegal under international law? No. The Fourth Geneva Convention bans nations from the moving of populations into and the establishing of settlements in the territory of another nation won in war.” ...

“What are the immediate ramifications of the UNSC resolution? The resolution adopted by the Security Council will have no practical ramifications for Israel.”... “The resolution is a form of diplomatic message to Israel and sets the international consensus on the settlements and further isolates Israel with regard to this issue. In order for this resolution to become binding and to allow for coercion or the imposition of sanctions by the international community it would have to be adopted under Chapter 7 of the United Nations Charter.

“In the long-term, what are the possible ramifications? In the medium-to-long-term the resolution may have serious ramifications for Israel in general and specifically for the settlement enterprise. The reason for this stems from the two main clauses of the resolution. The first clause states that the settlements have "no legal validity and constitutes a flagrant violation under international law." The International Criminal Court in The Hague is currently conducting a preliminary investigation concerning a suit filed against Israel by the Palestinians.” ...

“Will President-elect Donald Trump's administration be able to overturn the resolution or pass an opposite resolution? Theoretically yes, though in practice not really. In order to overturn the resolution Trump would have to pass an opposite resolution, which will in fact state that the settlements are legal and are not an obstacle to peace” ...

“Will the Trump administration or Republican lawmakers stop the U.S. funding for the UN? Some senior Republicans, including Lindsey_Graham, who is chairman of the Subcommittee on State, Foreign Operations, and Related Programs, have already announced that they will take action to cut and even stop completely the U.S. funding of UN institutions in response to the adoption of the resolution.”

“If the relationship between Netanyahu and Russian President Vladimir Putin is so good, why didn't Russia veto the resolution? The allegedly close relations between Netanyahu and Putin fall short when it comes to Russian interests and UN votes. Russia is one of the main supporters of the Palestinians over the last 50 years. During those years and today as well Russia has been voting against Israel in every possible international forum.” ...

See also:

[Analysis Obama's UN Vote on Israeli Settlements: Where Have You Been for 8 Years, Mr. President?](#)

[Analysis Security Council Punch Knocks Netanyahu Down From Hubris to Humiliation](#)

[Opinion The UN Security Council Vote Is pro-Israel](#)

[UN vote exposes the true face of Israel's settlement policy](#)

[The world is trying to save Israel from itself. Will we listen?](#)

[Netanyahu's diplomatic world war](#)

[Analysis The Hague: The Reason the Palestinians Are Jubilant and Israel Is Spooked](#)

3) [Kerry's Peace Principles: Jerusalem Would Be Capital of Two States, Barak Ravid, Haaretz, December 28, 2016](#)

“U.S. Secretary of State John Kerry strongly criticized Israel's government in a speech on Wednesday, saying that trends on the ground are leading to a one-state solution and defending the U.S. decision not to veto a UN Security Council resolution against the Israeli settlements.

“If the choice is one-state Israel can either be Jewish or democratic, it cannot be both and it will not ever live in peace,’ he said.

“Kerry presented the principles of a future final status agreement: An Israeli and a Palestinian state based on the 1967 lines; full rights to all citizens; a solution to the Palestinian refugee issue; Jerusalem as the capital of both states; an end to the occupation, while satisfying Israel's security needs, with a demilitarized Palestinian state; an end to all claims by both sides.” ...

“If Israel goes down the one state path it will never have peace with the Arab world,’ Kerry said.

“Kerry also defended the U.S. abstention at the UN Security Council last Friday, which led to the adoption of a resolution critical of the Israeli settlements. ‘The vote in the UN was about protecting a viable two-state solution.. Israel living side by side with a Palestinian state... that's what we were trying to preserve,’ Kerry said...

“Kerry laid down six principles of any future final status agreement between Israel and the Palestinians:

1. Provide for secure and recognized international borders between Israel and a viable and contiguous Palestine, negotiated based on the 1967 lines with mutually agreed equivalent swaps.
2. Fulfill the vision of UN General Assembly Resolution 181 of two states for two peoples, one Jewish and one Arab, with mutual recognition and full equal rights for all their respective citizens.
3. Provide for a just, agreed, fair and realistic solution to the Palestinian refugee issue, with international assistance, that includes compensation, options and assistance in finding permanent homes, acknowledgment of suffering and other measures necessary for a comprehensive resolution consistent with two states for two peoples.
4. Provide an agreed resolution for Jerusalem as the internationally recognized capital of the two states, and protect and assure freedom of access to the holy sites consistent with the established status quo.

5. Satisfy Israel's security needs and bring a full end to the occupation, while ensuring that Israel can defend itself effectively and that Palestine can provide security for its people in a sovereign and non-militarized state.
6. End the conflict and all outstanding claims, enabling normalized relations and enhanced regional security for all as envisaged by the Arab Peace Initiative." ...

See also:

[Analysis Kerry's Eulogy for Peace Marks Transition From No-drama Obama to Twilight Zone Trump](#)
[Analysis Kerry's Speech Was Superbly Zionist, pro-Israel, and Three Years Too Late](#)
[The Kerry Speech Illustrates Our Political Dysfunction: Hard Truths Too Late, But Not The Whole Truth](#)

4) [France sets date for peace conference in Paris, Ma'an News Agency, December 23, 2016](#)

"France's Foreign Minister announced on December 23, 2016 that a date has been set for a much anticipated, multilateral Palestinian-Israeli peace conference, scheduled to be held in Paris on Jan. 15, according to reports from Israeli media.

"Some 70 countries will reportedly participate in the conference, with a goal to hold a direct meeting between Israeli and Palestinian leaders on the sidelines after conclusion of the conference.

"French Foreign Minister Jean-Marc Ayrault made the announcement during a visit to the Lebanese capital Beirut, saying that he hoped the meeting would 'relaunch' the peace process and 're-affirm the necessity of having two states,' according to Time of Israel." ...

"While the goal of the upcoming summit would be to revive the peace process on the basis of achieving a two-state solution, Palestinians say the prospect of such a reality has become ever ever dimmer, amid a surge in illegal Israeli settlement construction that has now obtained the stamp of approval of US President-elect Donald Trump." ...

"A number of Palestinian activists have criticized the two-state solution as unsustainable and unlikely to bring durable peace, proposing instead a binational state with equal rights for Israelis and Palestinians. " ...

5) [Israel Fears American, French Initiative in Paris Conference Before Obama Leaves Office, Barak Ravid, Haaretz, December 26, 2016](#)

"Israel fears that the United States and France want to advance another move on the Israeli-Palestinian issue before the Obama administration wraps up its term.

"A senior official in Jerusalem said that during Sunday's security cabinet meeting, ministers were presented with an assessment that during the international foreign ministers' meeting scheduled for January 15 in Paris as part of the French peace initiative, a series of decisions on the peace process will be made. These will immediately be brought to the UN Security Council for a vote and will be adopted there before January 20." ...

"According to the information that Israel has, U.S. Secretary of State John Kerry wants to utilize the foreign ministers' parley, which will be attended by representatives of dozens of countries, to deliver an address that

presents his vision for the two-state solution. The senior official said that Israel fears this address will include American principles for resolving the core issues of borders, refugees, security arrangements and Jerusalem.” ...

6) [Opinion The Two-state Solution Is Already Dead, Gideon Levy, Haaretz, January 2, 2017](#)

“A question for declared supporters of the two-state solution, which means almost everyone, from U.S. Secretary of State John Kerry to Prof. Shlomo Avineri: You all say that this solution is in great danger, maybe even in its death throes. So what needs to happen for you to admit that it has breathed its last? What else needs to happen for you to declare it dead? Another 10,000 settlers? Or 20,000? Another five years of stalemate? When will you admit it?

“Most people know the truth but refuse to admit it. They know that the number of settlers has reached a critical mass. They know that no party in Israel will ever evacuate them. And without all of them being evacuated – and this, too, is something they know – there is no viable Palestinian state.

“They know that settler Israel never intended to implement the two-state solution. The fact is that all Israeli governments – all of them – continued the settlement enterprise.” ...

“Clinging to yesterday’s solution with all their might, two-state supporters also respond aggressively to anyone who tries to undermine their magical faith in a miracle. That’s standard practice for religious, almost messianic beliefs – woe to anyone who tries to undermine them.” ...

“Indeed, the solution of a single democratic state is heresy against everything we were raised on. It requires us to rethink everything – to rethink Zionism and the all privileges that were bestowed on one people only. This is the beginning of a long, painful road, but it’s the only one that’s still open to us.

“This road leads to one of two destinations: an apartheid state or a democratic state. There is no third option. The growing talk of annexation and the hasty anti-democratic legislation attests that Israel is now laying the ideological and legal foundations for implementing the first option, an apartheid state. The battle against it must focus on promoting the second option – the democratic state. Those who continue to prattle about two states are sabotaging this effort.

“One reminder: A single state has already existed for a long time. In the new year that begins today, it will celebrate the 50th anniversary of its founding. The time has come to launch a battle over the nature of its regime.”