

UN Resolution 2334

On December 23, 2016, the UN Security Council adopted a resolution regarding the Palestinian-Israeli conflict, condemning settlements and calling for all settlement construction to cease. It also calls for further labelling of goods made in Israel and those made in settlements. The resolution passed 14-0, with the United States surprisingly abstaining. This was the first time President Obama failed to block a Security Council resolution Israel considered unfair. The Boycott, Divest, and Sanctions movement (BDS), Students for justice in Palestine (SJP), and other anti-Israel groups were pleased with the passing of the resolution, seeing it as a call to actionⁱ. Many Jewish groups in the US were unhappy with the text of resolution and dismayed at the US's abstentionⁱⁱ. This unfair resolution does not change the facts on the ground for Palestinians and Israelis, and fails to hold the Palestinian leadership for their role in inciting violence and stalling the peace process. The message of one-sided resolutions like this one to Hamas and the PA is that they can keep making destructive decisions, and the international community will end up primarily blaming Israel anyways.

The resolution is one-sided

- The resolution mentioned important obstacles to peace such as terrorism and incitement to violence, but failed to hold Hamas or the Palestinian Authority (PA) explicitly accountable for these destructive activitiesⁱⁱⁱ. On the other hand, Israel was directly criticized and blamed in clause after clause.
- Settlements are a symptom, not a cause of the conflict. They are one of many issues of dispute between Israelis and Palestinians, including terrorism, incitement, the refusal to recognize the rights of Jewish people to self-determination, and more.

The resolution fails to distinguish between isolated outposts in the West Bank and Judaism's holiest sites in Jerusalem.

- The resolution calls the Western Wall “occupied Palestinian territory”, denying thousands of years of Jewish history to the region.
- It also fails to distinguish neighborhoods such as Ramot and Gilo from outposts Israeli law deems illegal^{iv}.

The resolution treats disputed claims about international law as settled facts.

- They are based on one-sided interpretations of international law. The West Bank is disputed territory under international law and settlements are legal according to many legal experts.
- These borders can only be determined through Palestinian-Israeli negotiations, as stipulated in the Oslo Accords.
- The settlements cover only a negligible amount of West Bank land. The built-up areas cover only 2% percent of the West Bank, according to PA President Mahmoud Abbas and human rights group B'Tselem^v.

- Israeli settlements have never before been an obstacle to peace. Peace talks and agreements continued despite them since the 1979^{vi} and 1994^{vii} peace treaties with Egypt and Jordan, and throughout the Oslo Accords process.

The resolution makes peace more difficult to achieve by creating all the wrong incentives.

- Shortly after the resolution passed, Secretary of State John Kerry made a speech justifying the US abstention and laying out a framework for peace negotiations. Palestinian leaders immediately rejected the framework, primarily because it involved recognizing Israel as a Jewish state.^{viiiix}
- The resolution could be interpreted as encouraging boycotts, which only serve to drive the two sides further apart^x.

The resolution is unlikely to cause lasting damage to the US-Israel relationship

- This vote represents a departure from this administration's previous policy, and it is unfortunate that they did not veto what is a deeply counterproductive resolution.
- Numerous Presidents from both sides of the aisle have chosen to abstain from UNSC and General Assembly resolutions against Israel^{xi}, and still the friendship and alliance between the US and Israel has consistently grown and become deeper over the years. There's no reason to think that this will change going forward.
- The US-Israel relationship is based on deeply held values that both of our nations and peoples share. These bonds transcend this or that vote at the UN.

ⁱ Ferziger, Jonathan, and Michael S. Arnold. "What UN Vote on Israeli Settlements Means -- and What's Next." Bloomberg.com. December 26, 2016. <https://www.bloomberg.com/news/articles/2016-12-26/what-does-un-vote-on-israeli-settlements-mean-and-what-s-next>.

ⁱⁱ Stoil, R. S. (2016, December 24). Outraged US Jewish leaders: UN vote tarnishes Obama's legacy. Retrieved January 10, 2017, from <http://www.timesofisrael.com/outraged-us-jewish-leaders-un-vote-tarnishes-obamas-legacy/>

ⁱⁱⁱ United Nations Resolution 2334, S/RES/2334, December 23, 2016, available at <https://www.un.org/webcast/pdfs/SRES2334-2016.pdf>.

^{iv} Neuer, Hillel. "12 Reasons Why the U.S. Should Have Vetoed U.N. resolution 2334." UN Watch. January 01, 2017. <http://www.unwatch.org/joining-jackals-open-letter-amb-samantha-power/>.

^v "Taking control of land and designating areas off-limits to Palestinian use." Taking control of land and designating areas off-limits to Palestinian use | B'Tselem. October 30, 2013. http://www.btselem.org/area_c/taking_over_land.

^{vi} "Peace Treaty between Israel and Egypt ." Mfa.gov.il. March 26, 1979. <http://www.mfa.gov.il/mfa/foreignpolicy/peace/guide/pages/israel-egypt%20peace%20treaty.aspx>.

^{vii} Treaty of Peace between the State of Israel and the Hashemite Kingdom of Jordan . (1994, October 26). Retrieved from <http://www.mfa.gov.il/mfa/foreignpolicy/peace/guide/pages/israel-jordan%20peace%20treaty.aspx>

^{viii} Ragson, Adam. "PLO official: Overall message of Kerry speech welcome, but parameters unacceptable." The Jerusalem Post | JPost.com. December 28, 2016. <http://www.jpost.com/Arab-Israeli-Conflict/PLO-official-Overall-message-of-Kerry-speech-welcome-but-parameters-unacceptable-476792>.

^{ix} "المالكي لـ معا: كيري لم يات بجديد ومحاوله تمرير يهودية الدولة مرفوضة." وكالة معا الاخبارية. December 29, 2016. <http://www.maannews.net/Content.aspx?id=883933>.

^x Neuer, Hillel. "12 Reasons Why the U.S. Should Have Vetoed U.N. resolution 2334." UN Watch. January 01, 2017. <http://www.unwatch.org/joining-jackals-open-letter-amb-samantha-power/>.

^{xi} Friedman, Lara. "Israel's Unsung Protector: Obama." New York Times. April 10, 2016.
https://www.nytimes.com/2016/04/12/opinion/international/israels-unsung-protector-obama.html?_r=1.