

**OBAMA, RICE & ABBAS' "STATE" GAMBIT: DIPLOMATIC AND  
POLITICAL INCOMPETENCE**

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Isranet Daily Briefing, September 19, 2011

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## **THE PALESTINIAN STATEHOOD GAMBIT**

**Editorial**

*Wall Street Journal, September 18, 2011*

**Are Palestinians entitled to a state? Before certain readers erupt at the mere suggestion that Palestinians may not be so entitled, we'd note that the Kurds—one of the oldest ethnic groups in the world—don't have a state. Neither do the Tamils of Sri Lanka, the Uighurs and Tibetans of China, the Basques of Spain, the Chechens of Russia or the Flemish of Belgium. The list of peoples with plausible claims to statehood is as long as the current number of U.N. member states, if not longer.**

**Yet when the United Nations holds its annual meeting in New York this week, the session will be dominated by the efforts of the Palestinian Authority (PA) to declare statehood. First the PA will apply to the Security Council for full membership in the U.N., which the Obama Administration has promised to veto. Then the General Assembly will hold a vote on whether to give the Palestinians "observer state" status on a par with the Vatican. This is almost certain to pass by a two-thirds, 129-nation majority.**

**A vote at the U.N. won't create a Palestinian state and will likely retard the creation of one, perhaps for years.... Why, then, are the Palestinians intent on winning the sort of symbolic trinket with which their cupboards are already full? The charitable explanation is that they are using the statehood bid as a gambit to get Israel to agree to various demands, including a halt in settlement construction.**

**But Palestinian President Mahmoud Abbas offered a hint of his real ambition when he wrote, in the New York Times in May, that "Palestine's admission to the United Nations would pave the way for the internationalization of the conflict as a legal matter, not only as a political one. It would also pave the way for us to pursue claims against Israel at the United Nations, human rights treaty bodies and the International Criminal Court...."**

**In other words, what Palestinians seek out of a U.N. vote isn't an**

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affirmation of their right to a state, but rather another tool in their perpetual campaign to harass, delegitimize and ultimately destroy Israel. "We are going to complain that as Palestinians we have been under occupation for 63 years," Mr. Abbas said the other day. That's another way of saying that the "occupation," in Mr. Abbas's view, began with the creation of the state of Israel in 1948, and not with Israel's takeover of the West Bank and Gaza after a war that threatened Israel's existence in 1967.

Mr. Abbas may also see the U.N. gambit as a cost-free exercise, since the international community...hasn't exactly been punctilious in holding Palestinians to account for violating their diplomatic or political undertakings. Sooner or later, we will read an op-ed explaining that defunding the PA will only help the radicals of Hamas, and that the only way forward is for Israel to make new concessions to entice the PA back to the very negotiating table they spurned by going to the U.N.

Here is a better course: The Obama Administration, which has wasted six months begging the Palestinians to change course, might instead announce that a declaration of Palestinian statehood in New York would lead to the closure of the Palestinian representative's office in Washington. Congress could also enact Florida Republican Rep. Ileana Ros-Lehtinen's bill to cut funding to the U.N. if it endorses a Palestinian state. This worked wonders the last time the Palestinians sought to have the U.N. declare their state during the George H.W. Bush Administration.

Perhaps it's also time to rethink the fundamental desirability of a Palestinian state so long as the Palestinians remain more interested in tearing down their neighbor than in building a decent political culture of their own.

## **NO TO THE PALESTINIAN 'STATE'**

**Editorial**

***National Review, September 19, 2011***

**There is no such thing as a Palestinian state, and the United Nations**

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can't conjure one into existence. That apparently won't stop the Palestinians from seeking recognition as a state in the Security Council this week. We [the U.S.] should veto the Palestinian effort without hesitation.

On top of its legal nullity, the push for recognition at the U.N. trashes the spirit of the Oslo Accords, which commit both the Israelis and the Palestinians to addressing their differences through negotiations. Thwarted at the Security Council, the Palestinians will likely go to the rabble in the General Assembly, where we don't have a veto and they will presumably succeed in putting a fig leaf on a fraud.

The General Assembly can change the status of the PLO from an observer "entity," as it is now, to a "non-member state" observer, like the Vatican, and thereby recognize it indirectly as a state. But this won't create a real state, either in law or in fact. Under international law, the Montevideo Convention of 1933 explicitly provides that the existence of a sovereign state is independent of recognition by other states, and further provides that a state must have a permanent population, a defined territory, a government, and the capacity to enter into relations with other states. The Palestinians arguably have none of those things. By their own admission, they don't have a defined territory. Their government, meanwhile, is riven: Terrorists control one half of the territories and the other half is controlled by a former terrorist whose term of office expired two years ago.

Nobody would like to see the Palestinians under a functioning state of laws more than the Israelis. But a state must have a monopoly of violence, and Hamas has always rejected the monopoly of violence in favor of the inherent individual right of resistance to occupation. The Palestinians have barely managed to maintain political institutions of any kind, and a declaration of statehood will do nothing to solve that problem.

Any action in the cause of Palestinian statehood at the U.N. will serve to isolate Israel further, and could make its government subject to international legal proceedings. But the main danger is the effect it could have in the Muslim world.... Another intifada would force Israel to resort to military measures, giving Egypt and Turkey another excuse to

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express their growing hostility to the Jewish state.

The Middle East has come to this pass despite President Obama's blithe belief at the inception of his administration that he could forge an Israeli-Palestinian peace. From the start, Obama cast his role in the Middle East as one of impartial mediator, not realizing that America's influence among the Palestinians requires Israel's confidence that we will protect the Jewish state come what may. Anyone can play the role of mediator, but only America can underwrite the risks of a negotiated settlement for both sides....

Yet the Obama administration has reprised the Clinton administration's childish schoolyard spats with Israeli prime minister Bibi Netanyahu. By embracing the Palestinian insistence on a halt to settlement construction as a precondition for talks, Obama encouraged the Palestinians to dig in their heels. Now the Palestinians think they can get what they want by forcing the issue at the U.N. and encouraging Egyptian and Turkish belligerence.

The new government of Egypt is seeking legitimacy by embracing the worst anti-Israeli sentiments of its populace. The army recently stood by as a Cairo mob ransacked the Israeli embassy. The Camp David Accords of 1979 are starting to crumble. Because no combination of Arab states could afford to go to war with Israel without Egypt's help, Henry Kissinger realized that peace between Israel and Egypt would end the era of Arab-Israeli wars. The fraying of the Camp David Accords, which preserved a tenuous peace for more than three decades, is ominous. So is the reemergence of Turkey as a regional power. Turkey has pledged a military escort for the next "humanitarian flotilla" aimed at forcibly breaching the Gaza blockade, a fully legal blockade even according to the United Nations.

The Middle East is again on the cusp of crisis, with the U.N. about to stoke the flames and the Obama administration caught in a self-imposed impotence.

## **OBAMA AND RICE ENCOURAGED A PALESTINIAN UN VOTE**

**Richard Grenell**

*Huffington Post, September 19, 2011*

**...Over the last few years, the Obama Administration has encouraged the Palestinians to make bold moves. While shifting U.S. policy away from Israel, President Obama clearly and definitively told the Palestinians to...plan for statehood. Within five months of taking office, Obama spoke in Cairo to a massive Muslim audience in what the White House billed as the President's first major address on Israeli-Palestinian relations. Arab leaders were hopeful and sat waiting to see if the new President of the United States with a Muslim father would change the status quo. And Obama didn't disappoint. In his speech, Obama made clear: "I have come here to seek a new beginning between the United States and Muslims around the world." The President went on to celebrate the Muslim faith like no other U.S. leader had. Arab leaders believed their time for equality had come—and Obama was on their side.**

**In that June 2009 speech, Obama apologized for American military might, Guantanamo Bay, the Iraq war, colonialism and even what he called our "self-interested empire...." After rebuking anti-Semitism and the tragedies of the Holocaust, Obama made an unusual comparison: "On the other hand, it is also undeniable that the Palestinian people...have suffered in pursuit of a homeland...." He went on to say, "The situation for the Palestinian people is intolerable. America will not turn our backs on the legitimate Palestinian aspiration for dignity, opportunity, and a state of their own." It was the early sign Arab leaders were looking for from the new President. They saw the President's comparison between the Holocaust and the plight of the Palestinians as an indication that statehood and international acceptance would come....**

**After the Cairo speech, the Obama team tried to assure the Israeli government that the President would not take sides. But soon thereafter, Administration officials did. Despite long-standing U.S. policy to encourage the parties to confront their issues at the bargaining table and to adamantly reject any outside influence making unilateral**

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decisions, Obama himself called for an end to settlements and to start negotiations using the pre-1967 borders.... Obama's Ambassador to the UN, Susan Rice, also consistently skipped Security Council meetings when Israel needed defending and even failed to show up for the emergency session on the Gaza Flotilla incident. The Israelis felt abandoned and the Palestinians were optimistic that the U.S. was not going to protect Israel....

But in perhaps the boldest U.S. move, Rice secretly negotiated with the Arabs on acceptable language for a possible UN resolution to condemn Israel's settlement activity.... When the Israelis got wind of the scheme, they cried foul. Conservative lawmakers quickly joined forces with the Israeli government to force Obama to change his position. In February of 2011, the U.S. vetoed a UN resolution on Israeli settlements that Susan Rice had started negotiations on with the Arabs. The Palestinians were furious and rightly so. After all, they had just spent weeks with Rice going back and forth on acceptable language to make Israeli settlement activity a violation of international law. Rice's rejection of the long-standing U.S. position of only encouraging direct negotiations led the Arabs to believe they were on a different path. Previous U.S. Administrations had bluntly threatened vetos on resolutions that made unilateral declarations but Obama's team was clearly open to the idea.

Arab diplomats also point to Obama's 2010 statement that he wanted to see Palestine a member of the UN by September 2011 as proof that he wants them to make bold moves. While Obama has sent the same lower level diplomats multiple times to the region to encourage direct negotiations, he hasn't sent Secretary of State Hillary Clinton. It's no wonder the two sides haven't spoken formally since September 2010. Instead, the Obama strategy has been to push the Israelis to accept Palestinian demands even though their unity government includes Hamas, a group the U.S. government classifies as a terrorist organization....

Before the beginning of the Obama Administration in January 2009, candidate Obama spoke of the Palestinian and Israeli conflict in simple terms. His belief that he could bring the opposing sides together to find a solution was based on the premise that he is a likeable guy and if he could just get the two sides to sit down together their issues would be

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secondary. The Arabs saw Obama's characterization of Iranian President Ahmadinejad and his willingness to directly negotiate with Hugo Chavez his first year in office as promising....

So it's no wonder Palestinian President Mahmoud Abbas exclaimed Friday, "We are going to the Security Council." Despite some media reports that the U.S. has been working hard to convince the Palestinians to drop their bid for statehood at the UN, the Administration's late discussions with lower level diplomats signals something different. U.S. Ambassador Susan Rice spent this past week in what seemed anything but frantic. She hosted a documentary film screening, tweeted about the International Day of Democracy and Friday spent the afternoon at a local New York City high school with Congressman Joe Crowley at what was billed as a "Back-to-School" event. She didn't even mention Israel or Palestine.

With all the signals the Obama administration has given the Arabs, no one should blame the Palestinians for seeking a reliably welcoming audience.... The Palestinians...[will now] appeal to [the] consistently friendlier, anti-Israel...UN. They can't trust the Obama team—and neither can the Israelis.

## **THE PALESTINIAN GAMBIT AND UN HYPOCRISY**

**Alan Baker & Dan Diker**

*Jerusalem Post, September 18, 2011*

In a reasonable world, one firmly girded by international law and wisely guided by its underlying principles, Israel would not need to be overly concerned about the Palestinian leadership's strategic decision to bypass the agreed upon and internationally sanctioned peace process and instead seek United Nations endorsement of a unilaterally declared Palestinian state. Simply put, the Palestinians couldn't get away with it.

As a UN member in good standing, Israel could take comfort in the fact that it is the only member of the UN General Assembly whose rights to sovereignty were twice affirmed in the past century; first in 1922, by the

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**UN's predecessor, the League of Nations, whose assignment of Jewish rights in the Mandate for Palestine were reaffirmed in 1945 by the United Nations' founding charter. Then there was Israel's acceptance into the United Nations in 1949, as the Jewish state painstakingly satisfied all the international conditions for statehood incumbent upon UN member states....**

**In a reasonable world, The Jewish state would today still be able to rely on the UN Security Council's (UNSC) commitment to "secure and recognized boundaries" for Israel via the council's unanimous passage of Resolution 242 following the 1967 war and affirmation of its sister resolution UNSC 338 following the 1973 war that, both legally and diplomatically, still govern relations between Israel and the Palestinian Authority pending a negotiated settlement.**

**And Israel might also take heed of the 1991 UN invalidation of the grotesque and PLO-inspired "Zionism is Racism" resolution passed 16 years earlier by the same international body....**

**Unfortunately, Israel's calculated risks for peace, from the 1993 Oslo exchange of letters and the 1995 interim agreement to Israel's 2005 Gaza withdrawal to the 2008 Annapolis peace talks, resulted in some 10,000 Palestinian rockets and mortars landing on Israeli towns and cities, and more than 1,200 Israelis murdered in terror attacks. Ironically, perhaps, Israel is still calling on its Palestinian neighbors to negotiate a peace settlement.**

**Sadly, we do not live in a reasonable world and such utopian logic appears to be naive. It also fails miserably when it comes to the United Nations, its treatment of Israel, and specifically the anticipated events in the General Assembly over the coming few weeks.**

**These events will include, in addition to the routine, annual twenty-odd resolutions singling out and bashing Israel, a Palestinian request to recognize a Palestinian state or grant the PLO an upgraded status in the UN, and a "celebration" of the tenth anniversary of the infamous 2001 Durban Conference and Declaration, which has since become the precursor for a concerted de-legitimization campaign against Israel.**

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**It is patently clear to all members of the international community that the head of the Palestinian Authority, Mahmoud Abbas, cannot claim that a Palestinian state exists except on paper since it has no control over the territory it considers part of its state, nor does it have a permanent population as required by international law for statehood.... For Abbas to come to the international community and claim that he has the components of statehood would be sheer hypocrisy and a cynical abuse of the United Nations and its member states and institutions....**

**Clearly Abu Mazen [Mahmoud Abbas] and his colleagues are coming to the international community with "unclean hands" and without the bona fides that one might expect from an entity that seeks to be a respected member of the exclusive club of sovereign states.**

**It is depressing enough to weigh the sheer hypocrisy of the Palestinian leadership in dragging the international community through this unwanted and harmful process. What is worse, however, is the willingness of that international community, as typified by the United Nations, to turn a blind eye and enable itself to be steam-rolled into playing the Palestinian game and allowing them to get away with it. This unconscionable collusion is compounded by the fact that the UN knows all too well that the requested acknowledgement of a Palestinian state would be nothing more than a fiction, undermining the principles of the UN Charter and some of the most important resolutions of the UN as well as the very basis of the Middle East peace process....**

**It is high time that the international community resolves itself to stop catering to the illegal whims of the Palestinian leadership in the mistaken hope that by allowing them to manipulate international institutions they might change their ways and adopt accepted norms.**

**It is also high time that the UN stop pampering the Palestinians and bending their own rules and principles and instead take a serious look at the far-reaching security, legal and diplomatic consequences of the upcoming events and the dangerous precedent they will be setting for future attempts by other non-state actors and similar international bodies to abuse and manipulate the very principles that anchor the international state system.**

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*(Alan Baker is Israel's former ambassador to Canada.*

*Dan Diker is the secretary-general of the World Jewish Congress.)*