



## Israel Update

UDI, September 2011

### **Q: What is UDI and when will it take place?**

A: UDI stands for “Unilateral Declaration of Independence.” At the upcoming United Nations session in September, the Palestinian government is expected to request international recognition of the State of Palestine on the 1967 borders and that Palestine be admitted as a full member of the United Nations.

### **Q: What’s the problem?**

A: By seeking to impose a unilateral or one-sided agreement upon Israel, the Palestinian government is circumventing the negotiation process and breaking past agreements.

Unilaterally declaring independence without working through the difficult negotiations to make a two-state solution workable on the ground, will not further a viable long-term peace or allow for successful nation building. Instead, it only risks hardening the positions of extremists on both sides, reducing the chances of future peace.

### **Q: Does the U.N. have the power to grant statehood to the Palestinians?**

A: The U.N. does not have the ability to grant statehood; rather, it can grant membership into the U.N. Statehood itself is achieved by meeting the international legal demands of the Montevideo Convention (1933), criteria which a Palestinian state has not yet met (see next question). Palestinian leadership has declared independence on prior occasions.



### **Q: Does the Palestinian Authority meet the criteria for statehood?**

A: At present, the Palestinian Authority fails to satisfy the traditional criteria for statehood: it does not have effective governmental control in the areas in which a Palestinian state is presumed to exist, or effective control over a permanent population. Some of these issues must be determined internally, others determined at the negotiating table. Failure to do so violates existing Israel-Palestinian agreements.

### **Q: How does the process of granting U.N. membership work?**

A: Membership must be approved by the U.N. Security Council. If approved, the U.N. General Assembly votes on the impending membership. If a U.N. Security Council member vetoes the impending membership, a “Uniting for Peace” resolution could be utilized – an attempt to bypass the Security Council by bringing the impending membership to the vote of the General Assembly. However, the General Assembly vote only acts as a recommendation and is not legally binding. Only with the approval of the Security Council can membership be granted.

### **Q: Why is a Palestinian UDI different than the Israeli Declaration of Independence in May 1948?**

A: The Israeli Declaration of Independence did not break any previous treaties or agreements. Rather, it was a fulfillment of the 1947 U.N. Partition Plan, whose borders were then altered as a result of the immediate war waged on Israel. (The

U.N. Partition Plan called for an independent Jewish state next to an independent Palestinian state – a plan which was rejected by Arab leadership in favor of a five-state assault on the nascent Israeli state.)

In contradiction, if the Palestinians unilaterally declare independence it will violate previous treaties negotiated by the Israelis and Palestinians that clearly call for negotiations as the means to achieving peace. These include the Declaration of Principles (1993), Interim Agreement (1995), Sharm el-Sheikh Memorandum (1999), and the Tri-lateral Statement (2000).

**Q: What does U.S. President Barack Obama think about a Palestinian UDI?**

A: President Obama has called for the Palestinians and Israelis to return to direct negotiations and has deemed unilateralism a futile endeavor. In his State Department speech on May 19, 2011, President Obama said, "efforts to delegitimize Israel will not end in peace. Symbolic actions to isolate Israel at the United Nations in September won't create an independent state." Additionally, he stated, "Palestinian leaders will not achieve peace or prosperity if Hamas insists on a path of terror and rejection."

**Q: What do other members of the U.S. Administration think about a Palestinian UDI?**

A: U.N. Ambassador Susan Rice said, "No outside country has invested more effort and energy and resources in pursuit of that peace [in the Middle East] than the United States has, and we will continue to do so. But the only way that that goal can be reached, the common goal of a two-state solution, is, as a practical matter, through direct negotiations between the parties. There's no short cut to that end. And every potential action, including action in the Security Council, has to be measured against one test, and that's whether it will move the parties closer to negotiations and agreement or take them further apart."

Secretary of State Hilary Rodham Clinton said, "The status quo between Palestinians and Israelis is no more sustainable than the political systems that have crumbled in recent months. Neither Israel's future as a Jewish democratic state nor the legitimate aspirations of Palestinians can be secured without a negotiated two-state solution. And while it is a truism that only the parties themselves can make the hard choices necessary for peace, there is no substitute for continued active American leadership."

**Points to Share:**

**Peace can only be achieved through two-sided negotiations that address the vital interests of both sides. Peace requires mutual recognition. Sidestepping that reality is a recipe for continued conflict.**

- Establishing a new state that does not recognize its neighbor's basic right to exist is a recipe for war and violence, not peace.
- There will be no peace until both sides are willing to accept the other as a permanent neighbor.
- In this case, that means the Palestinians cannot continue to reject Israel's right to exist.
- Successive Israeli governments, including current Israeli Prime Minister Netanyahu, have stated openly and repeatedly that Israel will accept a Palestinian state, alongside a Jewish state.
- Yet, the Palestinian leadership has not done the same. Last month senior PA "negotiator" Nabil Sha'ath said in an interview with Arabic News Broadcast, "The story of 'two states for two peoples' means that there will be a Jewish people over there and a Palestinian people here. We will never accept this."
- Without Palestinian leaders willing to acknowledge (esp. to their own people!) that they accept a Jewish State, the Palestinian quest for statehood through UDI seems more a pretext to continue the conflict with Israel than an effort to end it.

**Unilaterally declaring independence without including the principles of mutual recognition and renouncing violence is an attempt to sidestep the responsibilities of becoming a responsible member of the family of nations and a genuine partner for peace.**

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