

# U.S. Allows U.N. to Censure Israel

Obama administration, breaking tradition, clears way for measure; Donald Trump miffed at :



On Friday, the United States abstained from voting on a U.N. resolution calling Israel's settlements in the Palestinian territories illegal. U.N. Ambassador Samantha Power explained why the U.S. broke from decades-long tradition to veto such resolutions.

*Settlement activities embody the core of the policy of colonial military occupation of the land of the Palestinian people and all of the brutality of aggression and racial discrimination against our people that this policy entails. This policy, which constitutes a breach of international humanitarian law and United Nations resolutions, is the primary cause for the failure of the peace process . . .*

- Palestinian Authority President Mahmoud Abbas, UN Address, September 23, 2011



*The attempt by many to describe the Jews as foreign colonialists in their own homeland is one of the great lies of modern times...the connection between the Jewish people and the Land of Israel cannot be denied. The connection between the Jewish people and Jerusalem cannot be denied. The Jewish people were building Jerusalem 3,000 year ago and the Jewish people are building Jerusalem today. Jerusalem is not a settlement. It is our capital.*

– Israeli Prime Minister Benjamin Netanyahu, AIPAC Address, March 23, 2010

[Video](#)







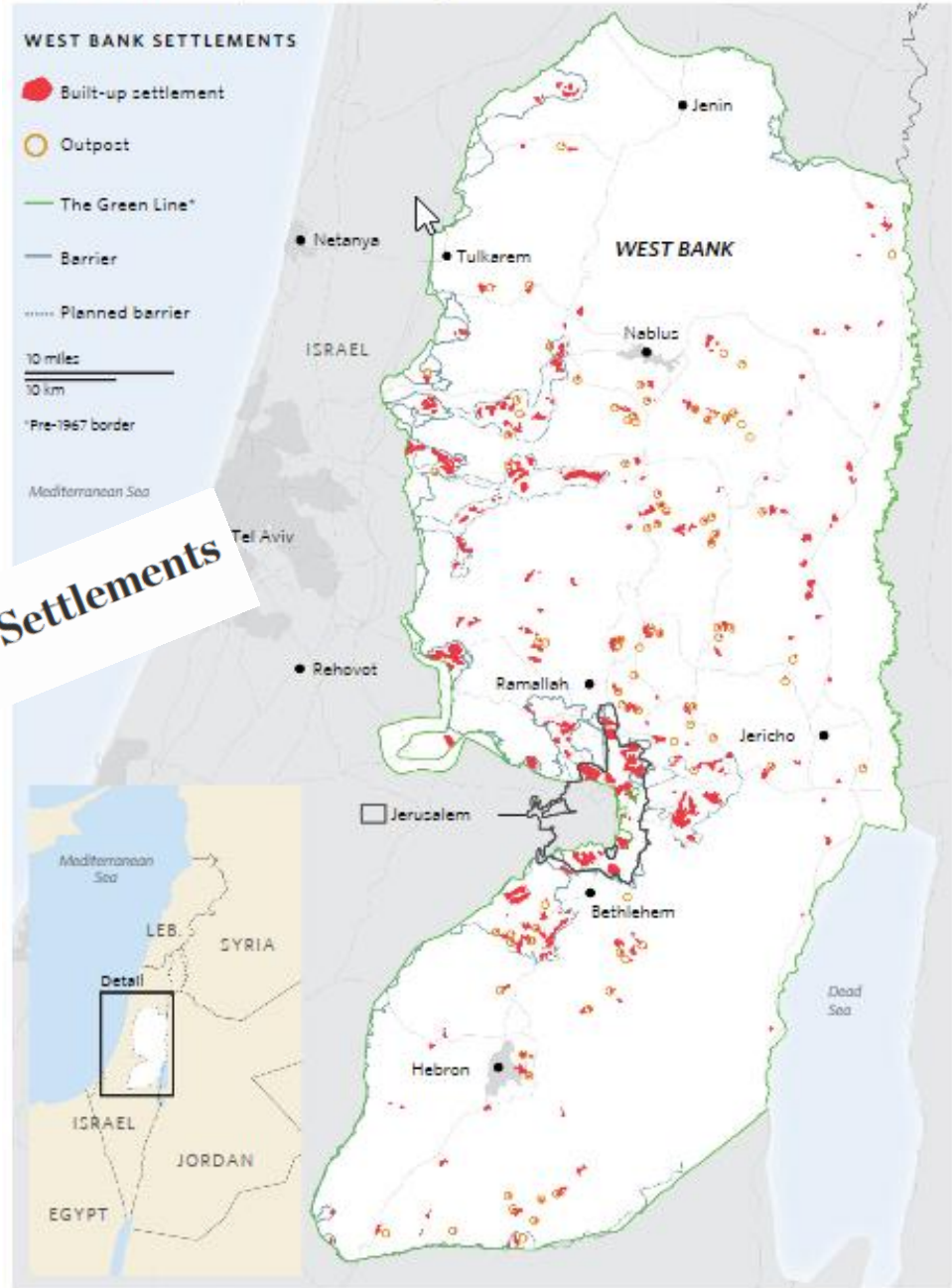
## Settled Land

Israel approved construction of 2,500 new housing units in the West Bank settlements, where more than 400,000 Israelis already live.

WORLD | MIDDLE EAST

# Israel Approves Major Expansion of West Bank Settlements

Decision to build 2,500 new units in the West Bank is largest such move in years



Source: Peace Now

*We continue to call on Palestinians to end incitement against Israel, and we continue to emphasize that America does not accept the legitimacy of continued Israeli settlements... the goal is clear: Two states living side by side in peace and security -- a Jewish state of Israel, with true security for all Israelis; and a viable, independent Palestinian state with contiguous territory that ends the occupation that began in 1967, and realizes the potential of the Palestinian people.*

– US President Barack Obama, UN Address, September 23, 2009





## Judea & Samaria/ West Bank

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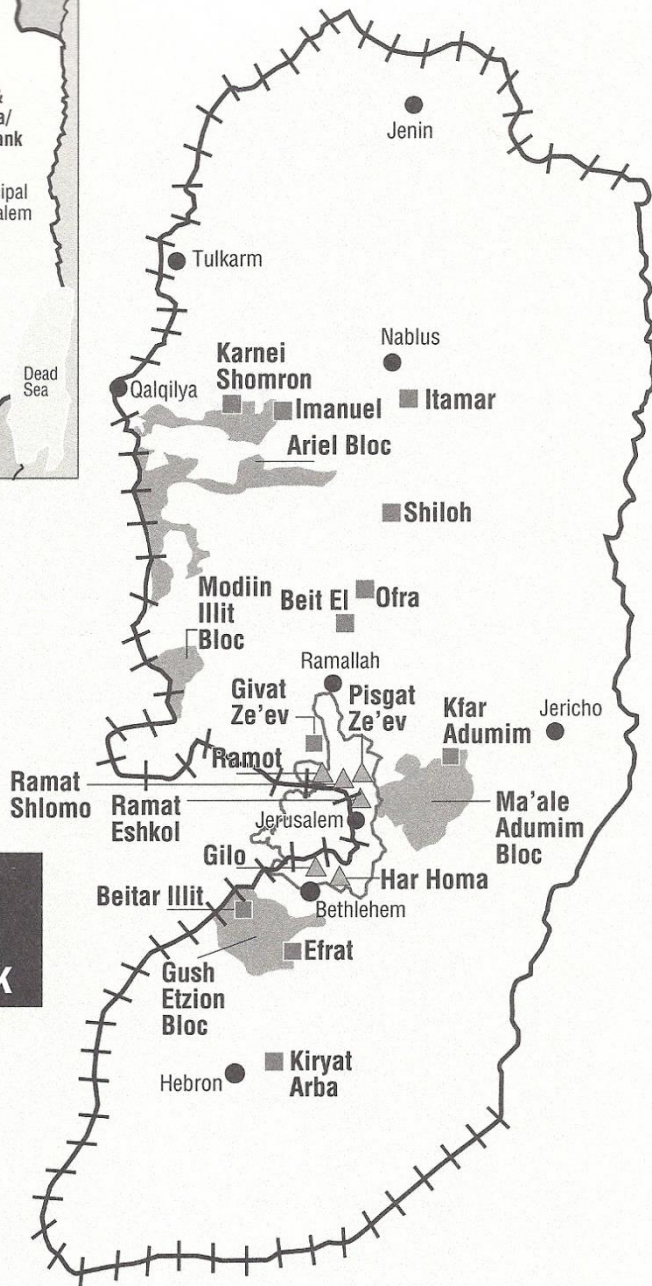
■ Settlement

● City

▲ Jewish neighborhoods in unified Jerusalem

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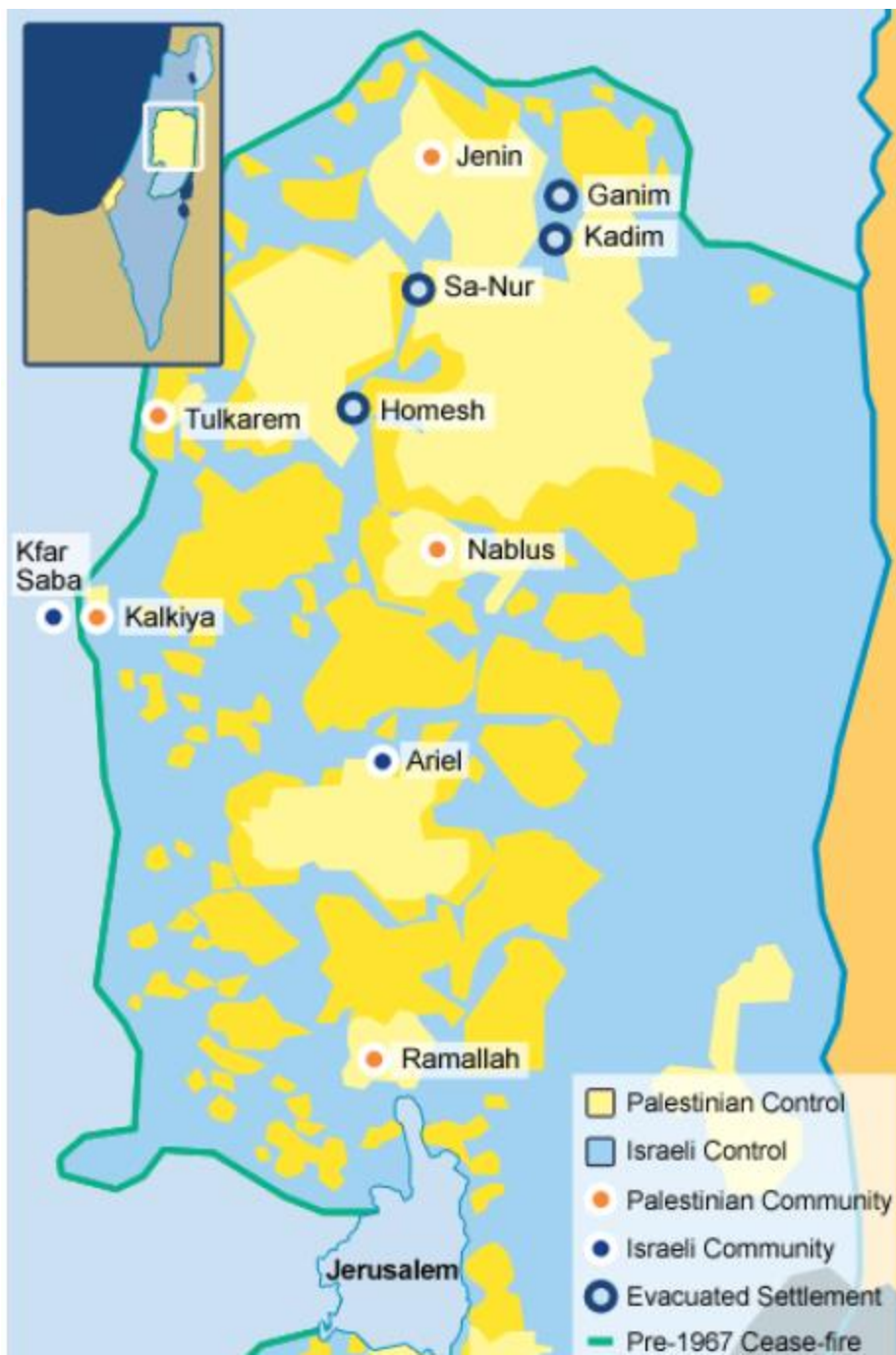
1949 Armistice Line (1967 Lines)



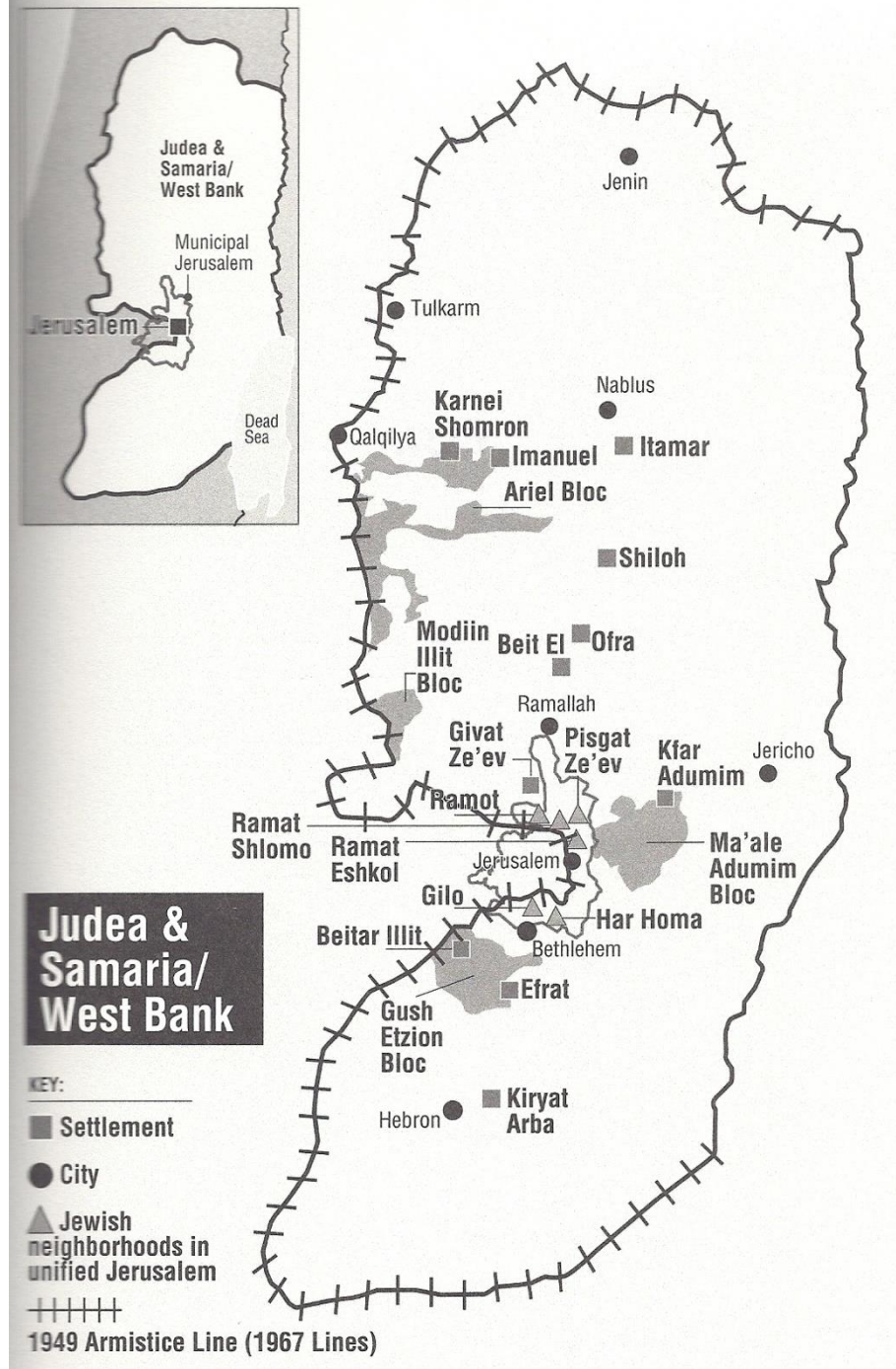
*The term “settlements” is used by the international community to describe the towns, cities, villages, and outposts built in the territories acquired by Israel in the 1967 War between Israel, Egypt, Syria, Iraq, and Jordan.*

*The term is also used to describe neighborhoods of eastern Jerusalem which have seen new construction and growth over the past 60 years.*



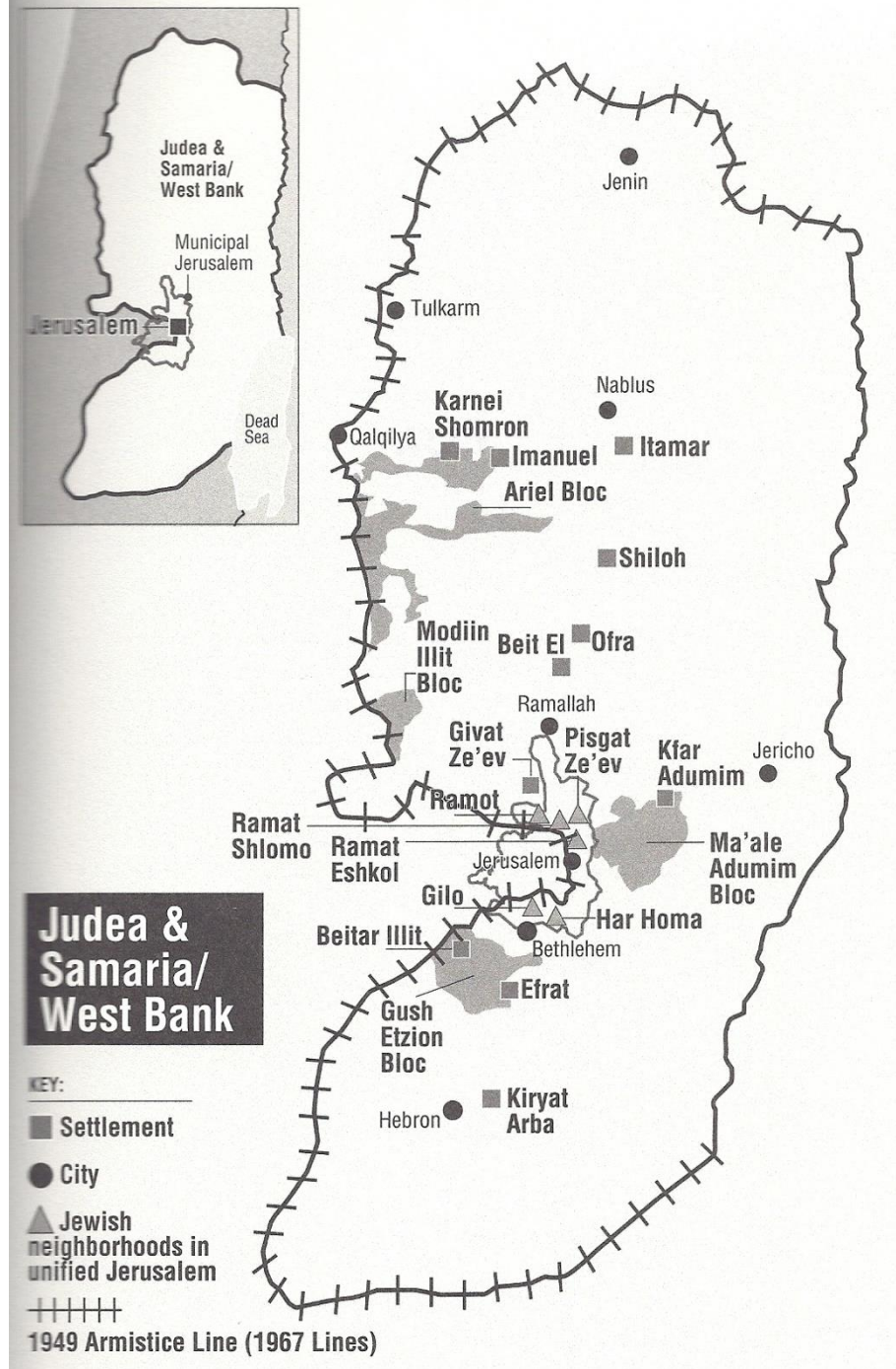


- The area known as the West Bank came under Israeli jurisdiction following the 1967 War.
- Settlement activity in this region began in the years following mainly for security reasons (Allon Plan)
- later increased significantly for ideological purposes. The number of settlements continued to increase in the 1980's,
- as did opposition to their existence from Arab, Palestinian and other world leaders.



- In 1977, Menachem Begin and the Likud party came to power and encouraged Israeli settlement in the territories through government subsidies.
- These strategically planned settlements were opportunities for Israel to protect its core while also changing the face of the area's landscape:
- Likud encouraged "maximum Jewish presence" throughout the disputed territories for
  - increased security,
  - to maintain the territorial gains, and
  - to assert Jewish rights and connection to the land.





- Today, Israeli settlements remain in various parts of the West Bank. There are approximately 400,000 Jewish settlers,
- Israeli settlements and military installations making up approximately 3% of land in the West Bank area.
- In the region surrounding Jerusalem, many areas considered “settlements” are neighborhoods in Jerusalem that have grown organically as the city itself has expanded in size and population.



A major debate currently surrounding the status of Jerusalem involves the expansion of Jewish neighborhoods in the city. Palestinian leaders see this growth as an obstacle to the creation of a contiguous Palestinian capital in the city which they view as a necessity in any future peace deal.

# LEGALITY?

## 4th Geneva Convention (August 12, 1949)

“the Occupying Power shall not deport or transfer parts of its own civilian population into the territory it occupies.”

international law precludes solving territorial disputes by force.

Therefore, according to this argument, since the territories were occupied as the result of a war, settlement construction in those captured areas is illegal



# UN Security Council Resolution 242 (November 22, 1967)

calls upon Israeli armed forces to withdraw “from territories occupied in the recent conflict.”

Opponents of the Israeli presence there have argued that the settlements are an Israeli attempt to change the character of the disputed territories in Israel’s favor, thereby making withdrawal less likely

# International Court of Justice Ruling (2004)

- This ruling starts with an understanding that the British Mandate for Palestine was designed to create a state for Palestinians.
- It rejects the idea that Jews have any right to the land of Israel and
- makes no mention of Jewish self-determination.
- Accordingly, if the premise is that the land belongs to Palestinians and not to Jews, then any Jewish building on 'occupied' land is illegal.

# Israeli Position

- Since the territories beyond the Green Line were captured by Israel in a war of self-defense, they are not considered occupied.
- The argument that Israel's settlements are a violation of the 4th Geneva Convention has been disputed by scholars who say that the convention does not apply to territorial disputes between Israel and Palestinians for the following reasons:



- Oslo Accords, which is set up in such a way that all issues between the two groups, settlements included, will be evaluated and solved through negotiations
- The convention applies only to the occupation of “territory of a High Contracting Party” to the convention. Neither Israel, nor any other country, has a recognized legal claim to the territory.
- According to the International Committee of the Red Cross, the 4th Geneva Convention only applies to cases in which a population is coerced into being transferred.

Professor Alan Dershowitz on  
Settlements

Ted Cruz Defend Israel