

# Why Netanyahu Is Upset About UN Security Council Resolution 2334: The Total Illegality of Israel's Settlements

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*Members of the world community finally reached a limit witnessing Israel's treatment of Palestinians. The United Nations Security Council presented a peace offering to Palestinians days before the official birthday of Jesus in what is now occupied Bethlehem: resolution 2334, with a "vision of a region where two democratic states, Israel and Palestine, live side by side in peace within secure and recognized borders." Ironically, the seemingly toothless resolution's main notoriety comes from Netanyahu's fury at its passage.*

The resolution, which aims to bring a lasting peace to Israelis and Palestinians based on international law, comes at a time when Israel seemed to be in the "mop-up" phase of its theft of Palestinian resources (such as water and gas) and its annexation of whatever it wanted of the Palestinian territories it has occupied since 1967: East Jerusalem, the West Bank and Gaza.

The media censorship of Israel's brutality towards the Palestinians has made their horrific situation virtually invisible to the western public, allowing Israel to ignore — besides basic human decency — virtually all international laws protecting Palestinian human, civil and property rights. Israel has been ethnically cleansing East Jerusalem, which it is trying to annex; it is maintaining apartheid in the occupied West Bank according to the 2012 Russell Tribunal, and committing genocide against Gazans according to the 2013 Kuala Lumpur tribunal. Despite such findings, Israel's allies are attempting to criminalize speech critical of Israel or advocating redress.

What the resolution calls for

Resolution 2334 lays out the Security Council's intention to start diplomatic meetings to create a lasting peace based on "the relevant United Nations' resolutions, and other peace agreements and initiatives", along with periodic follow-up reports. More specifically, resolution 2334 calls for:

Israel to "*immediately and completely cease all settlement activities in the occupied Palestinian territories, including East Jerusalem*" because of their illegality;

the international community to recognize the difference "*in its dealings*" between Israel and the occupied Palestinian territories;

immediate steps to prevent all violence against civilians, including acts of terror, as well as acts of provocation and destruction;

calls for accountability in this regard,

both parties to act on the basis of international law, including international humanitarian law... ; and

efforts aimed at achieving, without delay a comprehensive, just and lasting peace in the Middle East on the basis of the relevant United Nations resolutions, and ... an end to the Israeli occupation.

## Implications

The resolution confirms the total illegality of Israel's settlements; the wording "completely cease all settlement activities" might also be interpreted to mean the dismantling of the settlements.

If Israel refuses to abide by the resolution's call to end all settlement activity, the Palestinians can pursue cases against Israeli leaders at the International Criminal Court.

By calling for the international community to differentiate between Israel and the occupied Palestinian territories "*in its dealings*", the UN is calling for an end to trade agreements (*such as Canada's*) that support the financial viability of the settlements by allowing Israel to mislabel products produced in the settlements as from "Israel" in order to facilitate sales and avoid duties.

The call to prevent "*all violence against civilians, including acts of terror ... provocation and destruction*", is a stunning rebuke of Israeli violence against Palestinian civilians and the destruction of their homes and properties. The currently-used definition of terrorism\*, which excludes state terrorism (and thus actions by Israel or Hamas) includes the actions of Jewish settlers, the major source of terrorism in Israel.

The call for accountability is a call for an end to Israel's impunity for crimes including its massive attacks on Gaza as well as its almost daily attacks on Palestinian farmers, fishermen and other civilians.

The call for "both parties" to "act on the basis of .... international humanitarian law" is a demand that Israel, as the Occupying Power, respect the Fourth Geneva Convention, the law governing the treatment of civilians under military occupation. Israel's obligations are not only to protect the welfare of those civilians, but to refrain from moving its population into occupied territory or retaining the territory *under any circumstances*.

The resolution calls for efforts to end Israel's occupation of Palestinian territory, which Israel would find costly. Its confinement of millions of Palestinians is hugely profitable, largely because the world community has assumed Israel's legal obligation to provide for their food, education and other humanitarian needs. Israel skims off humanitarian aid money and forces funds to be converted into the shekel, propping up its currency. Palestinians are used as cheap and disposal labor in Israel's industrial zones and as guinea pigs for its weapons testing. The West Bank, from which Israel gets much of its water and farm land, is used for Israel's toxic dumps.

This resolution's intent to follow up on final status peace negotiations is a major problem for Israel because the next world conference on Israel/ Palestine is on January 15th, when President Obama is still in office. If a resolution is passed that sets parameters such as the issue of Israel's borders, the status of Jerusalem and the Palestinian right of return, along with a time-limit for the negotiations, it would be almost impossible for Donald Trump to intervene. Trump would have to get the support of at least nine countries in the Security Council behind a new resolution that would overturn the offending resolution — and then ensure that the permanent members, including Russia and China, would not veto it.

## Conclusion

Israel's violations of UN SC Resolution 2334 — which calls for an end to the settlements, steps to prevent acts of violence against civilians, and for accountability — justify boycott, divestment and sanctions against Israel, particularly of products from Israel's settlements.

Israel's ongoing violations should also end the current efforts to criminalize speech critical of Israel. People of conscience can not be said to be guilty of "racism", "anti-Semitism", or "hate speech" when they describe Israel's defiance of this resolution and of international laws — or advocate economic responses to facilitate a just peace.

Hopes for an ending to the Palestinian plight now hinge on the passage of a follow-up resolution at the January 15th conference that will call for final status negotiations on Israel's borders, the status of Jerusalem and the Palestinian right of return — with set time limits.

The United Nations SC resolution 2334 demonstrates that the world body retains its credibility in calling *for justice*.

The UN has been responsible for the Palestinian tragedy; members must now take responsibility for ending it.

*The definition of "terrorism"* presumably the one used by the annual Global Index of Terrorism:

The Global Terrorism Index uses data supported by the Department of Homeland Security which includes incidents meeting the following criteria:

1. The incident must be intentional – the result of a conscious calculation on the part of a perpetrator.
2. The incident must entail some level of violence or threat of violence — including property violence, as well as violence against people
3. The perpetrators of the incidents must be sub-national actors. This database does not include acts of state terrorism. In addition to this baseline definition, two of the following three criteria have to be met in order to be included in the START database from 1997: ....The violent act was aimed at attaining a political, economic, religious, or social goal. ....The violent act included evidence of an intention to coerce, intimidate, or convey some other message to a larger audience (or audiences) other than the immediate victims. ....The violent act was outside the precepts of international humanitarian law. ([Vision of Humanity](#))

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