

## Palestinian Unilateral Declaration of a State

[Palestinian Authority](#) President [Mahmoud Abbas](#) is poised to defy the wishes of [Israel](#), the [United States](#) and many European nations when he submits a request to the [UN](#) to recognize a state of Palestine. [Abbas](#) maintains that Israeli intransigence at the negotiating table has left the Palestinians no choice other than unilateral action to advance the [peace process](#).<sup>592</sup> In truth, it is the Palestinians who have refused even to sit down for talks with [Israel](#). Despite repeated invitations from [Israel](#), and encouragement by the [Obama Administration](#), [Abbas](#) has boycotted negotiations for two years.

Rather than discuss the crucial issues of [borders](#), [settlements](#), [refugees](#) and [Jerusalem](#), [Abbas](#) has chosen to pursue a [Unilateral Declaration of Independence](#) (UDI) in an effort to gain international recognition for his uncompromising positions on these issues. A [UN](#) vote, however, will not provide independence to the Palestinians; it will be only a symbolic victory. [Israel](#) will not withdraw from any territory as a result, will not recognize "Palestine," and will not change its support for a two-state solution based on agreed upon [borders](#) and security arrangements.

[The Palestine Liberation Organization](#) has held observer status at the [UN](#) since 1974 and [Abbas](#) is now seeking the privileges of an independent state. The Palestinians expect at least 150 of the 192 UN members to endorse their [statehood bid](#), but the [United States](#) has already pledged to veto any resolution put before the [Security Council](#).<sup>593</sup> Without [Security Council](#) approval, the [General Assembly](#) can only change the [PLO](#)'s status as it does not have the power to declare the establishment of states or to admit members to the [UN](#). Nevertheless, a [General Assembly](#) vote would give international recognition to a phantom Palestinian state.

Though it is unlikely to matter to the [General Assembly](#), which has an automatic majority for any pro-Palestinian initiative, the Palestinians do not yet have all of the characteristics of a state. According to the 1933 Montevideo Convention, the four requirements for a state are a permanent population, a defined territory, effective government over the population, and the capacity to enter into relations with other states.

As Steven Rosen of the Middle East Forum observed, "the [General Assembly](#) will create an imaginary state that has two incompatible presidents, two rival prime ministers, a constitution whose most central provisions are violated by both sides, no functioning legislature, no ability to hold elections, a population mostly not under its control, borders that would annex territory under the control of other powers, and no clear path to resolve any of these conflicts."<sup>594</sup>

[The Palestinian Authority](#) is unable to support itself financially, depending almost entirely on foreign aid. Finally, the "state" is divided between the [West Bank](#) and [Gaza Strip](#), with the latter outside the control of [Abbas](#).  [Hamas](#) rules [Gaza](#) independently, opposes the [UDI](#), as well as any peace with [Israel](#), and continues to engage in terror. A vote for the [UDI](#) would endorse  [Hamas](#) rule and create a UN member state whose objective is the destruction of another member.

By going to the [UN](#) to circumvent negotiations, the Palestinians will undermine the [peace process](#) by violating international agreements, alienating the Israeli public and giving the Palestinian people false hope that their lives will change. Many Palestinians, including [Prime Minister Salam Fayyad](#), recognize this course is irresponsible, and may threaten some of their interests, and are therefore opposed to the [UDI](#).<sup>595</sup>

Approval by the [UN](#) of a [unilateral declaration of independence](#) has potentially serious detrimental consequences for the Palestinians. [Israel](#) will feel justified, for example, in taking its own unilateral measures.

The [Oslo Accords](#) could also be declared null and void and [Israel](#) could cease to abide by its provisions, such as providing water to the [PA](#) (which would no longer exist) or recognizing Palestinian control over certain areas in the [West Bank](#). By declaring "independence," the [PA](#) would threaten bilateral cooperation with Israel in more than 40 spheres of activity, including security collaboration, institution building and economic support. <sup>596</sup>

Moreover, the [UDI](#) would jeopardize economic aid from the [United States](#), which is legally prohibited from funding terrorist organizations and [Hamas](#) would now be governing at least part of phantom Palestine. The U.S. Consul General in [Jerusalem](#), Daniel Rubenstein, told the [PA](#) that Congress is prepared to "take punitive measures to cut aid" if the [UDI](#) is pushed forward. <sup>597</sup>

Additionally, the [UDI](#) will raise expectations among the Palestinian people that they will be independent, that Israeli involvement in their lives will end, that the [settlements](#) will disappear and that they will have a capital in [Jerusalem](#). When none of these come to pass, the public may turn on its leaders or, more likely, vent its frustration on [Israel](#). As EU Parliament Chief Jerry Buzek warned, "unilateral actions can become very dangerous." <sup>598</sup>

A [UDI](#) would contravene almost every international resolution and agreement aimed at achieving Israeli-Palestinian peace. The [Oslo Accords](#), the Road Map and [Security Council](#) resolutions [242](#), [338](#) and [1850](#) all stipulate that the only route to a sustainable peace is through negotiations. U.S. Secretary of State [Hillary Clinton](#) admonished the Palestinian leadership on the [UDI](#) tactic, saying "there is no substitute for face to face discussion."

At a time when much of the Middle East is either in flames or simmering, the Palestinians seem determined to throw a gasoline can into the mix. The [United States](#) and Israel are trying to do everything possible to discourage them from their incendiary policy and to restart peace negotiations, but [Abbas](#) may not be deterred from proving once again that the Palestinians never miss an opportunity to miss an opportunity.

<sup>592</sup> Khaled Abu Toameh, "Abbas: Israel's 'intransigence' forcing us to the UN", [The Jerusalem Post](#), (September 7, 2011).

<sup>593</sup> AFP, "EU may 'draft own resolution on Palestinian UN bid'", [Yahoo News](#), (September 3, 2011).

<sup>594</sup> Steven Rosen, "The Palestinians' Imaginary State", [Foreign Policy](#), (August 3, 2011).

<sup>595</sup> Larry Grossman, "AJC Briefing: The Perils of UDI", [The American Jewish Congress](#), (September 2011).

<sup>596</sup> Irwin Cotler, "The time isn't right for statehood bid", [The Montreal Gazette](#), (September 8, 2011).

<sup>597</sup> DPA, "U.S.: We will stop aid to Palestinians if UN bid proceeds", [Haaretz](#), (August 26, 2011).

<sup>598</sup> Associated Press Staff, "EU: Palestinian state vote could be 'dangerous'", [Cnsnews.com](#), (June 14, 2011).