

# WebMemo



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## The U.N. Palestinian Statehood Vote: A Test of Obama's U.N. Engagement Strategy

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The effectiveness of the Administration's "new era of engagement"<sup>1</sup> to build goodwill toward the U.S. at the U.N. based upon mutual respect and cooperation will be tested this week when Palestinian Authority President Mahmoud Abbas formally requests U.N. membership for the Palestinian delegation.

Despite intense U.S. diplomatic efforts, the Palestinian delegation seems determined to force a vote in the Security Council and follow up with a General Assembly resolution recognizing Palestinian statehood and elevating its status at the U.N. from an observer entity to a non-member state observer. Success in either effort would be detrimental to U.S. and Israeli interests and illustrate the need for a more hard-nosed policy, in coordination with Congress, to use America's financial leverage to protect and advance U.S. interests at the U.N.

**A Threat to the Israeli-Palestinian Peace Process.** The Palestinian push for statehood absent a negotiated agreement with Israel is correctly perceived by the Obama Administration as an attempt to isolate Israel that would deal a major setback to Israeli-Palestinian peace prospects. Specifically, a unilateral declaration of Palestinian statehood would also undermine all internationally accepted frameworks for peace, including U.N. Security Council Resolution 242 and the U.N.-sponsored Road Map for Peace, as well as other U.N. statements that call for the creation of a Palestinian state and delineation of borders through a negotiated mutual agreement with Israel.

As stated by President Barack Obama:

For the Palestinians, efforts to delegitimize Israel will end in failure. Symbolic actions to isolate Israel at the United Nations in September won't create an independent state. Palestinian leaders will not achieve peace or prosperity if Hamas insists on a path of terror and rejection. And Palestinians will never realize their independence by denying the right of Israel to exist.<sup>2</sup>

This effort threatens both U.S. and Israeli interests, and the Administration is right to oppose it.

**The U.N. Votes.** As stated in the U.N. Charter, a recommendation from the U.N. Security Council is required before the General Assembly can admit a new member to the U.N.<sup>3</sup>

President Obama made clear that the U.N. was not an appropriate venue for addressing the statehood issue in his May 19 speech on Middle East policy, but he stopped short of threatening a veto. Earlier this month, Wendy Sherman, the Administration's nominee for Undersecretary of State, declared unequivocally that the U.S. would block the proposal for U.N. membership for Palestine.

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If that happens, the Palestinians are expected to push for formal General Assembly recognition of Palestine as a state and elevation of the status of the Palestinian delegation to the U.N. General Assembly from a non-voting observer to that of a “non-member state” observer.

Without a Security Council recommendation for U.N. membership, however, a General Assembly resolution is non-binding, regardless of how many countries vote for it, and cannot grant U.N. membership. Thus, this action would be mostly symbolic in that the resolution would convey few additional privileges to the Palestinians in the U.N.

But it could have serious consequences elsewhere. Because a large majority of the 193 U.N. members will probably support the resolution,<sup>4</sup> the Palestinians hope that the vote will give legitimacy to their claims to statehood and possibly create momentum for U.N. membership down the road while simultaneously boosting Arab and Muslim efforts to delegitimize Israel.

Moreover, the Palestinians would undoubtedly exploit their enhanced status in the General Assembly to argue that the Palestinian Authority is indeed a sovereign state, as is the Holy See, which enjoys similar status. Such enhanced status would better enable the Palestinian Authority to seek membership in other international organizations and perhaps use them to launch spurious diplomatic, political, and quasi-legal challenges to Israel.

For instance, the Palestinian Authority could use this elevated U.N. status as evidence of international recognition of its status as a “sovereign state”

and invite the International Criminal Court to exercise its jurisdiction in Gaza or the West Bank over alleged crimes committed by Israel.

**A Test of Engagement.** The strength of a policy is not tested by easy matters (such as passing a U.N. resolution condemning undeniable abuses by the Libyan government that are supported by most of the U.N. membership) but by difficult ones. The Palestinian statehood issue is one of the most important U.N. votes since President Obama entered office.

The U.S. can and should veto the Palestinian statehood bid in the Security Council. But the true test of U.S. influence—and the Obama Administration’s strategy of U.N. “engagement”—will be whether it can defeat the Palestinian resolution in the General Assembly or, at the very least, prevent it from gaining the support of two-thirds of the General Assembly (129 votes). The two-thirds number is symbolically important because that is the number required to admit a new member if the Security Council recommends it for membership.

Earlier this month, Assistant Secretary of State Esther Brimmer stated:

President Obama’s decision to pay our UN assessments in full has given us greater influence with allies, partners, and others, and helped us achieve both our policy goals at the UN, as well as much-needed management reform and budget discipline. For too long, our failure to keep current on our UN dues hamstrung our diplomats and hurt our national interest.<sup>5</sup>

1. Ambassador Susan E. Rice, “A New Course in the World, a New Approach at the UN,” remarks at New York University, August 12, 2009, at <http://www.unausa.org/newapproachatheun> (September 19, 2011).
2. Barack Obama, “Remarks by the President on the Middle East and North Africa,” The White House, May 19, 2011, at <http://www.whitehouse.gov/the-press-office/2011/05/19/remarks-president-middle-east-and-north-africa> (June 28, 2011).
3. For a detailed analysis and overview, see Brett D. Schaefer and James Phillips, “How the U.S. Should Respond to the U.N. Vote for Palestinian Statehood,” Heritage Foundation *Backgrounder* No. 2574, July 6, 2011, at <http://www.heritage.org/research/reports/2011/07/how-the-us-should-respond-to-the-un-vote-for-palestinian-statehood>.
4. It is estimated that more than 150 governments have some form of diplomatic relations with the Palestine Liberation Organization and/or the Palestinian National Authority. Of these, 117 governments have publicly stated their recognition of the state of Palestine.
5. Esther Brimmer, “A Misguided Assault: Why the United Nations Matters,” remarks at the Center for American Progress, September 15, 2011, at <http://www.state.gov/p/io/rm/2011/172447.htm> (September 19, 2011).

The Obama Administration has been trying for months to dissuade the Palestinians from pursuing this course and to convince other countries from supporting the effort. If Brimmer is correct, the Obama Administration should be able to use its enhanced influence to block the Palestinian effort. If the Obama Administration fails in its effort, it would raise serious questions about the depth of goodwill garnered by its “engagement” strategy and whether the U.S. should assume a tougher approach at the U.N.

**The Need for Sticks.** Ambassador Susan Rice has claimed that U.S. withholding from the U.N. is “fundamentally flawed in concept and practice, sets us back, is self-defeating, and doesn’t work.”<sup>6</sup> Yet the record of U.S. withholding and reform says the opposite.<sup>7</sup> Indeed, the last attempt by the Palestinians to use the U.N. to bolster their claims of statehood in the late 1980s was blocked by the U.S. threat to withhold further contributions to any U.N. organization that admitted Palestine as a member state or elevated its status to a non-member state observer.<sup>8</sup>

Members of Congress are already fearful of Administration failure and are proposing a return to tougher tactics:

- This past June, Representative Thaddeus McCotter (R–MI) introduced H.R. 2261, which would “withhold United States contributions to the United Nations or a United Nations agency if the United Nations or such agency supports the recognition of an independent Palestinian state”;
- Earlier this month, Representative Ileana Ros-Lehtinen (R–FL) introduced the United Nations

Transparency, Accountability, and Reform Act of 2011 (H.R. 2829), which would withhold U.S. contributions from any U.N. entity that “recognizes a Palestinian state or upgrades in any way, including but not limited to full membership or non-member-state observer status, the status of the Palestinian observer mission at the United Nations”; and

- Four Democratic Members of Congress have introduced legislation (H.R. 2893) that would withhold military assistance—including that to large recipients like Egypt, Pakistan, and Jordan—from nations that vote for the Palestinian statehood resolution at the United Nations.

**Tools at U.S. Disposal.** The Obama Administration should recognize the usefulness of having Congress play a role in pressing for U.S. policy priorities at the U.N. When issues are of critical importance to the United States, Washington should take a hard-nosed approach and use U.S. financial leverage to advance its policy priorities, including withholding contributions to the U.N. and incorporating country votes on important U.N. resolutions into U.S. decisions on foreign assistance.<sup>9</sup>

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6. Paul Bedard, “Ambassador Susan Rice Blasts GOP U.N. Funding Plan,” *Washington Whispers*, September 12, 2011, at <http://www.usnews.com/news/blogs/washington-whispers/2011/09/12/gop-plan-to-limit-un-funding-attacked> (September 19, 2011).
7. Brett D. Schaefer, “United Nations: Urgent Problems That Need Congressional Action,” *Heritage Foundation Lecture* No. 1177, February 3, 2011, at <http://www.heritage.org/research/lecture/2011/02/united-nations-urgent-problems-that-need-congressional-action>.
8. John Bolton, “How to Block the Palestine Statehood Ploy,” *The Wall Street Journal*, June 3, 2011, at <http://online.wsj.com/article/SB10001424052702303657404576357721571060778.html> (June 27, 2011).
9. See James Phillips, “Promoting Peace? Reexamining U.S. Aid to the Palestinian Authority,” *Heritage Foundation Testimony*, September 14, 2011, at <http://www.heritage.org/Research/Testimony/2011/09/Promoting-Peace-Reexamining-US-Aid-to-the-Palestinian-Authority-Part-II>.