



Condemnation of Israeli Settlement Building in the Occupied Territories

Security Council Resolution:

The halt in Israeli settlement building is the title of UN Security Council resolution 2334, issued after 8 years in December 2016, the first resolution against Israel not vetoed by the United States. The Security Council passed the resolution with 14 votes for and one abstention from the United States. The draft resolution was prepared by the cooperation of New Zealand, Malaysia, Venezuela and Senegal.

This historic resolution against Israel was issued after 37 years without a veto by the United States. The resolution calls on Israel to immediately and fully halt settlement constructions in the Palestinian Occupied Territories including East Jerusalem. It stresses that “settlements building strongly threatens the survival of the two state solution and is an obstruction to peace.” Remind the existing commitment in the Road Map from resolution 1515 (2003) and calls for a stop to all settlement construction activities by Israel.

In parts of the resolution we read that with a stress on related resolutions the Security Council:

1. Reaffirms that the establishment by Israel of settlements in the Palestinian territory occupied since 1967, including East Jerusalem, has no legal validity and constitutes a flagrant violation under international law and a major obstacle to the achievement of the two-State solution and a just, lasting and comprehensive peace;
2. Reiterates its demand that Israel immediately and completely cease all settlement activities in the occupied Palestinian territory, including East Jerusalem, and that it fully respect all of its legal obligations in this regard;
3. Underlines that it will not recognize any changes to the 4 June 1967 lines, including with regard to Jerusalem, other than those agreed by the parties through negotiations;
4. Stresses that the cessation of all Israeli settlement activities is essential for salvaging the two-State solution, and calls for affirmative steps to be taken immediately to reverse the negative trends on the ground that are imperilling the two-State solution;
5. Calls upon all States, bearing in mind paragraph 1 of this resolution, to distinguish, in their relevant dealings,

between the territory of the State of Israel and the territories occupied since 1967;

6. Calls for immediate steps to prevent all acts of violence against civilians, including acts of terror, as well as all acts of provocation and destruction, calls for accountability in this regard, and calls for compliance with obligations under international law for the strengthening of ongoing efforts to combat terrorism, including through existing security coordination, and to clearly condemn all acts of terrorism;

7. Calls upon both parties to act on the basis of international law, including international humanitarian law, and their previous agreements and obligations, to observe calm and restraint, and to refrain from provocative actions, incitement and inflammatory rhetoric, with the aim, inter alia, of de-escalating the situation on the ground, rebuilding trust and confidence, demonstrating through policies and actions a genuine commitment to the two-State solution, and creating the conditions necessary for promoting peace;

Over many years of the conflict between Israel and Palestine, numerous resolutions and actions have been implemented by the UN, which stress on the observation of human rights, humanitarian law and also halt in the settlements construction by Israel.

Settlements building in the Palestinian Occupied Territories is one of the major problems which have put obstacles in the way of peace talks. Therefore the Israeli-Palestinian issue is not just in the form of conflict between the two, but it is an international subject to which the whole international community is involved with, and is a threat against international peace and security.

International law resources for occupation include contractual sources, the Hague regulations of 1899 and 1907, the Fourth Geneva Convention of 1949 and the Additional Protocol of 1977, also customary international law, Security Council resolutions and international court decisions. Since its founding, Israel has continually violated international law in the Palestinian Occupied Territories.

Adoption of Security Council resolution 2334, and the long history of some governments' support for Israel's

crimes at the international level, particularly the use of the vetoing power in the Security Council, indicates the international community's determination in putting an end to the Israeli occupation and to breathe life into the rights of the Palestinian people.

One more time the Palestinian issue is making headlines and resulted in the international community become sensitive towards the violation of the basic rights of the Palestinians. 14 out of 15 Security Council's yes votes, among whom there are four out of five vetoing power permanent members: Russia, Britain, France and china, and the abstain by the United states, who previously continued to veto anti-Israel resolutions, indicates that under the pressure of their own people and the international community's opinion, these governments must react towards the occupation issue and repeated human rights and humanitarian law violations.

Perhaps such a resolution can be an alarm bell for officials in Tel Aviv, who will realise that their actions will not be met with international community's indifference, and world public opinion is ready to confront unethical actions taken by Israel. Furthermore, the experience of the international community shows that Israel is not committed to international conventions and international law obligations. We hope that this resolution is not just on paper and be practically implemented. Perhaps it can be said that the United States abstain vote is a warning of isolation for Israel, the condemnation of Israel's violation of international law by big powers be heart-warming for the Palestinian people.

Most governments have reacted positively towards this resolution. The Islamic Republic of Iran announced that it welcomes any actions that guarantee support for the realisation of Palestinians' demands and strengthening of the international status of Palestine and also in opposition of the occupation by Israel. France, turkey, Belgium, and Hamas welcomed the adoption of the resolution and called for a halt in settlements construction. Hamas also called for the continuation and increase of fair positions by the international community regarding the Palestinian issue. In a statement the Israeli prime minister said that his country will not be committed to this resolution.

Settlements Building History

Following the holding of the first Zionist conference in 1897, the transfer of Jews to Palestine towards the implementation of settlements building and Jewish settlements of Occupied Territories for the occupation of new lands, was placed in the working agenda of the Zionist movement. On this basis since 1967, settlement

building and settling Jews in Occupied Territories began with the big settlements building "Igan Alon" project.

The point to remember in the aggressive actions of Israel is that all the settlements that have been built by Israel in the Occupied Territories are illegal and are contrary to the 1907 the Hague regulations, the Fourth Geneva Convention and UN resolutions, and their expansions are violations of commitments that Israel has made on the basis of international agreements including the Road Map and also the Mitchel Report in which they had made commitments. Furthermore, by choosing lands deep in Palestinian territories, to build settlements, and thereafter on the pretext of provision of security to these regions Israel has expanded its occupation deep into Palestinian territories.

Also the destructive actions and inhuman efforts of Jewish settlers against neighbouring Palestinians, have found a way to make Palestinians homeless. As well as armed attacks against Palestinian dwelling regions, the Jewish settlers have made the regions unsafe and inflict physical and material damages against Palestinians, at times by polluting the water sources and the environment by use of chemical and biological materials, and have taken up an unfair fight against the Palestinians, so that they can force the Palestinians to leave. The settlements cover the West Bank of the Jordan River and East Jerusalem. These settlements are illegal according to international law. But Israel does not accept this. According to international law, all settlements built by Israel in the territories occupied since 1967 are illegal. Article 46 of the 1907 Hague regulations states that "the occupation force cannot confiscate lands under its occupation." Article 49 of the Fourth Geneva Convention also states that "no state can migrate its citizens to lands that it has occupied, and take actions that cause a demographic change in the region." Resolution 446 of the Security Council (1979), accuses Israel of violating international law due to settlements building, and calls for Israel to implement the Geneva Convention articles, because the West Bank and Gaza Strip are deemed occupied territories under international law. Israel is the occupation force and is not permitted to construct in occupied territories.

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Sources:

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