

Actie voor erkenning van de Palestijnse staat door de Verenigde Naties

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1) Het Fayyad-project 2009-2011

De Palestijnse staat die thans om internationale erkenning vraagt, is al jaren geleden met westerse steun op de rails gezet door de Palestijnse minister-president Fayyad. Daarbij werd al in een vroeg stadium september 2011 als einddatum genoemd. Fayyad heeft in Amerika gestudeerd, werkte jarenlang in Amerika bij de Wereldbank en het IMF en wordt algemeen gezien als een vertrouweling van Washington.

"Acting Prime Minister in Ramallah, Salam Fayyad, has embarked on a program of institutional reform since his appointment in 2007. On August 23, 2009, Fayyad came out with a detailed two-year working plan for establishing the fundamental infrastructures of a future democratic, modern and sovereign Palestinian State within the 1967 borders, with Jerusalem as its capital. Fayad said the PA government wanted to build state institutions without waiting for the outcome of peace talks."

"When Fayyad unveiled his plans in August 2009, U.S. President Barack Obama's administration gave it the green light and deposited \$200 million into the Palestinian Authority's treasury, which Fayyad controls. (UPI 12-11-09) On November 14, 2009 the Israeli newspaper Ha'aretz revealed that Fayyad had reached a secret understanding with the Obama administration which would provide for U.S. recognition of such an independent Palestinian state within two years. Fayyad's document, Haaretz reported, quoting unnamed Israeli officials, has a secret appendix detailing specific steps to unilateral statehood." (The Jewish Daily Forward 11-11-09)

"One of its central elements of the Fayyad-project is the United States-sponsored training, equipping, and funding of the Palestinian Authority's security forces, which have been cooperating with Israel at unprecedented levels in the West Bank to quell supporters of Hamas."

Het Fayyad-project werd zowel door de Amerikaanse regering als de Europese Unie gefinancierd. The European Union became the largest provider of development aid to the occupied Palestinian territory: "The overall objective of European Union support is to ensure the creation of a viable, independent and democratic Palestinian State."

2) Internationale erkenning dat de opbouw van de Palestijnse staat thans is voltooid

Het in augustus 2009 door Fayyad aangekondigde twee-jaren plan om de structuren van de Palestijnse staat op te bouwen is thans binnen de geplande tijd voltooid. Dit wordt door vele internationale instanties bevestigd.

"Key donor states meeting in Brussels April 13, 2011 said that the institutions developed by the Palestinian Authority are now "above the threshold for a functioning state." The donors, who give the Palestinians hundreds of millions of dollars in aid each year, cited reports prepared by the World Bank, the United Nations and the International Monetary Fund."

The Palestinian Authority is ready to govern a state of its own, according to a report published Tuesday by the office of **United Nations** Special Coordinator for the Middle East Robert Serry, AFP reported. In six core areas – governance, rule of law and human rights; livelihoods and productive sectors; education and culture; health; social protection; and infrastructure and water – P.A. "governmental functions are now sufficient for a functioning government of a state." Jerusalem Post 15-4-11

The Palestinian Authority, which is working toward global recognition of its statehood in September, got an endorsement from the **International Monetary Fund**, which said that the authority was fully capable of running the economy of an independent state. It said for the first time that it viewed the authority as “now able to conduct the sound economic policies expected of a future well-functioning Palestinian state, given its solid track record in reforms and institution-building in the public finance and financial areas.”

The **World Bank** gave a strong endorsement to Palestinian efforts to set up an independent state, saying core Palestinian institutions compared favorably with those in established nations. It repeated comments made in a 2010 survey, saying the PA was "well-positioned for the establishment of a state at any point in the near future", adding that its achievements came against the backdrop of "stringent Israeli restrictions".

3) Jarenlange steun voor Fayyad-project van het "Quartet on the Middle East"

Al in 2003 sprak het Kwartet waarin de Verenigde Staten, de Europese Unie, Rusland en de Verenigde Naties samenwerken, zich in de "Roadmap" uit voor een Palestijnse staat die lid zou worden van de Verenigde Naties:

The 2003 Roadmap prepared by the Quartet and endorsed by the UN Security Council calls for “creating an independent Palestinian state with provisional borders and attributes of sovereignty, based on the new constitution, as a way station to a permanent status settlement. Quartet members were supposed to “promote international recognition of a Palestinian state, including possible UN membership”.

Thus, the Quartet envisaged that a Palestinian state could be established prior to the conclusion of final status negotiations with Israel. In other words, it was accepted that the PLO need not wait until Israel had agreed to completely withdraw from the territory before asserting its claim to statehood with provisional borders and attributes of sovereignty by seeking recognition and UN membership. (Victor Kattan 3-6-11)

Na de aankondiging van Fayyad in 2009 om in twee jaar de Palestijnse staat op te bouwen heeft het Kwartet op alle vergaderingen zijn steun aan dit project betuigd:

- "The Quartet welcomes the Palestinian Authority's plan for constructing the institutions of the Palestinian state within 24 months.(verklaring september 2009)

- Ook in maart 2010 sprak het Kwartet zijn steun uit voor het Fayyad-project:

"The Quartet continues to support the Palestinian Authority's plan of August 2009 for building the Palestinian state within 24 months as a demonstration of Palestinians' serious commitment to an independent state that provides good governance, opportunity, justice, and security for the Palestinian people from the first day that it is established." The Quartet called for Israel to take further steps to facilitate Palestinian state-building and economic growth.

- The Quartet reaffirmed its support for the Palestinian Authority's August 2009 plan for building the institutions of a Palestinian state within two years. (verklaring september 2010)

4) Juli 2011: de Europese Unie blokkeert in het Amerikaanse Palestina-beleid

Nog in april 2011 meldde de Los Angeles Times (19-4-11) dat President Obama has said he wants to welcome a Palestinian state into the U.N. in September. US and European diplomats warned that if Netanyahu does not present a new initiative, the US, Russia, the European Union and the United Nations will potentially endorse the creation of a Palestinian state along 1967 borders, with east Jerusalem as the capital.

Maar onder druk van de conservatieve krachten in het Amerikaanse Congres verliet Obama

dit standpunt. Zijn steven was om de VN-erkenning van de Palestijnse staat te voorkomen door de Israëliisch-Palestijnse onderhandelingen te hervatten.

Obama wants desperately to move the peace process along so he can avoid having to cast a vote at the UN, because he faces serious consequences whether he vetoes or not. Prince Turki al Faisal, the former Saudi intelligence chief and ambassador to the United States, warned this month in an op-ed in the Washington Post (9-6-11) that an American veto of the Palestinian effort would have "disastrous consequences" for the U.S.-Saudi relationship.

De internationale strijd rond Palestina wordt voor een groot deel in het Kwartet uitgevochten. Op de bijeenkomst van het Kwartet in **februari 2011** was men nog eensgezind: "The Quartet of Mideast negotiators urged that Israeli-Palestinian peace negotiations must advance quickly due to the recent turmoil in Egypt. In a statement at the end of the Quartet meeting in Munich the group said that in view of developments in the Middle East, the Quartet expresses its belief that further delay in the resumption of negotiations is detrimental to the prospects for regional peace and security. The Quartet emphasized that the goal of an Israeli-Palestinian peace agreement is the establishment of a Palestinian state by September 2011."

In maart kwamen de Europese landen met hun voorstel voor nieuwe onderhandelingen. With no sign of talks being revived, France, Britain and Germany launched an initiative in **March 2011** to restart the stalled negotiations by proposing the outlines of a final settlement to the Israeli-Palestinian conflict including starting negotiations based on pre-1967 borders. They wanted U.N. Secretary-General Ban Ki-moon and the European Union to propose this settlement text at a meeting of the Quartet in mid-April. Putting the job in the hands of the EU and the UN would sideline the United States, Israel's closest ally. The statement envisions a Palestinian state within the 1967 borders with equal land swap and security arrangements maintaining the sovereignty of the Palestinian state. The statement also called for a solution to share Jerusalem as the capital of the two states.

The Palestinian presidency called on the Quartet of Middle East peace mediators to support the European declaration of principles to settle Israeli- Palestinian conflict presented by Britain, Germany and France. If the Quartet adopted the context of the European initiative, "it will be a step in the right direction and we will accept it and then it would be possible to return to peace negotiations," said Nabil Abu Rdineh, spokesman for Palestinian National Authority President Mahmoud Abbas.

Maar Obama weigerde het Europese voorstel te steunen. Vanwege deze Amerikaans-Europese onenigheid blokkeerde Obama op het laatst de geplande Kwartet-bijeenkomst van 11 maart 2011 in Moskou. Hetzelfde gebeurde met de volgende afgesproken bijeenkomst op 15 april 2011 in Berlijn.

Tenslotte vond op initiatief van Catherine Ashton (EU) op 11 juli in Washington een Kwartet-bijeenkomst plaats, waar de Verenigde Naties waren vertegenwoordigd door secretaris-generaal Ban Ki-Moon. Israel did not respond to an invitation to attend. Na afloop werd geen slotcommuniqué uitgegeven. Het is opvallend dat in de internationale media geen enkele aandacht aan deze belangrijke mislukte bijeenkomst is gegeven.

Het Israelische dagblad Haaretz (17-7-11) berichtte wat op de bijeenkomst gebeurd was: "Senior European diplomats said that the failure of the Quartet meeting of 11 July 2011 pushed the Palestinians even more toward turning to the UN. They say that responsibility for the failure of the meeting lies with the United States, which proposed to the other Quartet members a one-sided wording for an announcement that favored Israel and which had no chance of being accepted by the Palestinians.

The U.S. version did include mention of negotiations being based on the 1967 borders with an

exchange of territory, however, it also included portions of the letter of President George Bush to Prime Minister Ariel Sharon which noted that the border changes would reflect the demographic changes on the ground since 1967. This implies the annexation of the settlement blocs to Israel. "The Israelis pressured the U.S. very heavily and the American wording was too blatant and unbalanced," senior European sources said. "In the way things had been written there was no chance that the Palestinians would accept this."

European Union Foreign Policy head Catherine Ashton refused to accept the U.S. version and was joined by the Russians. She put forth a more moderate version, calling for negotiations on the principle of "two states for two peoples," with mention to Resolution 181 on the division of Palestine in 1947. "Unfortunately the Americans failed to convince the Israelis to accept this version," senior European diplomats said.

Aldus het verslag van Haaretz

5) Welke landen steunen de VN-erkenning ?

According to Riyad al-Maliki, the Palestinian Authority Foreign Minister, some 150 countries have said that they will recognize a Palestinian state within the 1967 borders in September

Een groot aantal landen heeft aangegeven voor erkenning van een Palestijnse staat door de Verenigde Naties te zullen stemmen. In Latijns-Amerika was Brazilië het eerste land, maar het werd spoedig gevolgd door praktisch alle andere landen. Het onderstreept hoe deze landen zich los hebben gemaakt van het Amerikaanse buitenlandse beleid. Ook de Afrikaanse en Arabische landen zullen de resolutie steunen. In Azië gingen China, India en Pakistan de andere landen in de regio voor. Van groot belang is dat president Medvedev verklaarde dat Rusland het voorstel zal steunen.

De twijfelaars zijn enkele landen van de Europese Unie en in Noord-Amerika. Frankrijk, Spanje, Italië, de Britse en Franse regering dreigden het voorstel te steunen als Israël geen stappen zet voor een vredesregeling. Alleen van de Verenigde Staten, Canada, Duitsland, Nederland en enkele Oost-Europese landen is bekend dat zij Israël zullen steunen in de afwijzing van dit voorstel. De Verenigde Staten zullen de erkenning in de Veiligheidsraad met een veto blokkeren. Als Obama deze stap niet zou willen zetten zal het Congres hem daar toe dwingen.

The Arab League has said it would request UN membership for a Palestinian state in the Gaza Strip and the West Bank, with East Jerusalem as its capital at the UN General Assembly in September.

Palestinian Foreign Minister Riyad Al-Malki said 14-8-11 that Palestinian President Mahmoud Abbas would personally present the request for UN membership to UN Secretary-General Ban Ki Moon on **September 20**. Al-Malki claimed 122 states have recognised Palestine thus far.

6) Het standpunt van de Europese Unie

The general position of the EU is that a Palestinian state should be based on the 1967 borders with equivalent land swaps, Jerusalem should be divided and become the capital of both states, and a negotiated settlement be found for the Palestinian refugee issue, although member states have sometimes been divided on these issues. However, EU states consider Israeli settlements illegal under international law. The EU has insisted that it will not recognize any changes to the 1967 borders other than those agreed between the parties.

8-12-2009: the EU adopted a resolution that for the first time explicitly called for Jerusalem to become the future capital of both a Palestinian state and Israel.

Denmark, France, Ireland, Italy, Norway, Portugal, Spain and the United Kingdom have (recently) upgraded the Palestine General Delegations in their capitals to diplomatic missions and embassies — a status normally reserved for states.

7) Het stadpunt van de Verenigde Staten

The U.S. cast its first veto in the UN Security Council on Friday [18 February 2011] under the Obama administration, All of the other 14 members of the UNSC voted in favor of the resolution, which would have condemned Israeli settlements in occupied Palestinian territory. At least 120 UN member states co-sponsored the resolution, despite a few last-minute drop-outs.

July 16, 2011, het blad "Foreign Policy": The top Republican and Democrat foreign aid leaders in the House of Representatives are warning the Palestinian Authority (PA) that U.S. aid will be withheld if the Palestinians seek recognition of a Palestinian state at the United Nations in September. On July 7, 2011 the House passed a resolution opposing the statehood plan by a 407-6 vote. The Senate passed the same resolution unanimously.

18 Jan 2011: The Palestinian diplomatic mission in Washington on Tuesday hoisted its national flag for the first time, saying it symbolised the struggle for independence. Delegates from the State Department and Arab League Ambassador Hussein Hasounh attended the ceremony. The US State Department said the flag ceremony was approved several months ago and does not change the status of the Palestinian mission in Washington.

In 2010, the U.S. gave the Palestinian Authority nearly \$600 million,

8) Wat is de zin van de erkenning van een Palestijnse staat

Het feit dat er thans een einde is gekomen aan de stilte rond het vredesproces tussen Israël en de Palestijnen en dat het onderwerp weer hoog op de internationale agenda staat is een eerste succes van het voornemen van de Palestijnen om in september aan de Verenigde Naties te vragen hun staat te erkennen conform de 1967 grenzen.

Abbas schreef in de New York Times: Once admitted to the United Nations, our state stands ready to negotiate all core issues of the conflict with Israel. Palestine would be negotiating from the position of one United Nations member whose territory is militarily occupied by another and not as a vanquished people ready to accept whatever terms are put in front of us.

If Palestine became a member of the U.N. , from that very moment the State of Israel would be a member state occupying another member state. This is unacceptable according to the UN Charter, and the Security Council would be required to take action under Chapter VII, which allows for military and non-military steps to “restore international peace and security.”

Neither the U.N. -- or even the U.S. -- recognizes Israeli sovereignty over the territories occupied by Israel in 1967 (in this case, the West Bank, Gaza and East Jerusalem). So recognition of Palestinian statehood on the 1967 lines does not delegitimize Israel, as such; it simply extends the international community's longstanding rejection of Israel's continued occupation of those territories to a recognition of Palestinian sovereignty over them. And that would mean that for Israël to have its claim to any of those territories recognized, it would require the consent of a sovereign Palestinian entity -- presumably established through a quid-pro-quo negotiation. And that establishes the negotiating parameter as being not how much of the West Bank and East Jerusalem Israël is willing to give the Palestinians, but how much of the West Bank and East Jerusalem the Palestinians will agree to allow Israël to keep.

It's true that the U.N. General Assembly doesn't have the authority to settle border disputes

or settle much of anything. Its resolutions are not, in themselves, binding formulations of international law. But a General Assembly resolution on Palestine will open some doors. Perhaps the most important is the door to the Office of the Prosecutor at the International Criminal Court.

Palestinians tried hard to convince the International Criminal Court (ICC) to indict Israeli military officials after the Gaza intervention last year. But the Rome Statute (as the treaty defining the court's authority is called) limits its jurisdiction to cases involving "states," but it does not limit itself to U.N. member states. Even if a U.S. veto on the Security Council keeps "Palestine" out of the U.N., a General Assembly resolution might encourage a substantial majority of the world's governments to recognize "Palestine." That would make it rather easy for the ICC prosecutor to treat "Palestine" as a "state."

Israël has launched a global diplomatic campaign to persuade countries to vote against recognition of a Palestinian state at the UN general assembly in September. Classified cables have been sent from the foreign ministry in Jerusalem to embassies around the world, instructing diplomats to draw up plans to mobilise against the Palestinian campaign for recognition, according to the newspaper Haaretz, which obtained the documents. Diplomatic missions have been told to lobby government officials in the countries in which they serve, offer articles and interviews arguing against recognition to media outlets, enlist the help of local Jewish communities and if necessary request visits from top Israeli officials. Israel is deeply concerned that a majority vote in favour of recognising a Palestinian state at the UN general assembly will lead to increased pressure for it to end its occupation of the West Bank and its continued, albeit eased, blockade of Gaza. It says the Palestinian campaign is an attempt to delegitimise Israël and scupper any prospect of renewed peace talks. The Guardian, Jun 12 2011

9) Huidige Palestijnse status bij de VN

The PLO has had observer status at the United Nations as a "non-state entity" since 22 November 1974, which entitles it to speak in the UN General Assembly but not to vote. In the list of "non-member states and entities", the PLO is categorized under "Other entities having received a standing invitation to participate as observers in the sessions and the work of the General Assembly and are maintaining permanent offices at Headquarters".

After the Declaration of Independence (in 1988) the United Nations General Assembly officially "acknowledged" the proclamation and voted to use the designation "Palestine" instead of "Palestine Liberation Organization" when referring to the Palestinian permanent observer. In spite of this decision, the PLO does not participate at the UN in its capacity of the State of Palestine's government. Since 1998, the PLO is arranged for seating in the United Nations General Assembly immediately after non-member States, and before all other observers.

Palestina is al toegetreden tot de VN-organisaties met uitzondering van de UNESCO en de Wereldgezondheidsorganisatie (WHO), die de zaak hebben laten liggen uit vrees voor het terugtrekken van VS-fondsen – geen ijdele bedreiging.

10) Het standpunt van Hamas en Palestijnen binnen Israël

Then what does Hamas think of plan to submit to the UN secretary general an official request for Palestine to be accepted as a full member of UN by the PLO? Interview 17 juli 2011 met Hamas-lid van het Palestijnse parlement PLC, Mohamed Totah:

Totah: Palestine already gained recognition in 1988, so the appeal for UN membership does not add anything new to the cause. But why not go for it? Why should Hams create obstacles for Fatah to

reach its goal to attain international recognition? If they want to go to the UN, let's go, but we know the Palestinian people will not gain their sovereign rights this way. At the same time, Hamas also knows we have nothing left to lose, so let them go and we will see what happens. The good thing is that it will show the world what Israël stands for and that the Palestinians are fighting for their rights.

Did Fatah communicate their intentions to go to the UN during the Hamas-Fatah reconciliation talks?

Total: During the reconciliation talks it was not mentioned by Fatah. But when they discussed it with Hamas at a later date, Hamas agreed not to block the procedure. At the same time, we made it clear that we are convinced the appeal for full UN membership will not return Palestinian rights to its people. But as we cannot see any negative consequences, we will do nothing to obstruct the move.

The Palestinian resistance movement of Hamas and Fatah agreed to make the application for the United Nations' recognition of Palestine after signing a unity deal in May, Press TV reported.

Omdat Hamas wordt gesteund door Syrië is de steun van dat land voor de erkenning van belang. 18 juni 2011 : The Syrian recognition also indicates that the al-Assad regime has decided to stand with Mahmoud Abbas's project, namely the Palestinian state, and not with the vision of the Hamas leader Khaled Mishal. It comes as one of the last Arab states to grant this recognition.

The leadership of the Israeli Arabs – dubbed the "inside Palestinians" or "the '48 Palestinians" by this leadership – is now striving to become an integral part of the Palestinian people, and particularly to join the national Palestinian leadership. On July 28, 2011, MKs Muhammad Baraka, of Hadash, and Taleb Al-Sane', of the United Arab List-Arab Movement for Renewal (Ra'am-Ta'al), took part in a session of the PLO's Central Committee in Ramallah to discuss plans for the Palestinians' bid in the U.N. for recognition of a Palestinian state on the 1967 borders. Addressing the committee, Baraka expressed support for the move. MEMRI 11-8-11