

President Obama Has Been Against Israel Settlements Since Taking Office

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Making the concept of Israeli-Palestinian land swaps harder to implement is probably not the legacy President Obama wants, yet it may be one he has just made more likely.

The Obama Administration's abstention on the UN Security Council resolution probably should not come as a surprise. If there is one issue on which the President has been consistent vis-a-vis Israel, it has been settlement construction in the territories that Israel occupied after the 1967 war. From the outset of his administration, he called for a freeze on the building of Israeli settlements to include natural growth. Even when he vetoed a settlements resolution in 2011, he had his then UN ambassador, Susan Rice, make a tough statement about our opposition to settlements even as she explained that the one-sided nature of the resolution left us little choice but to veto.

Perhaps President Obama felt this resolution was more balanced. Truth be told, resolutions in international forums about Israel are rarely, if ever, balanced.

This one creates the veneer of balance by referring to the need to stop terror and incitement, but of course it never names the Palestinians so this effectively refers to stopping all such actions by both sides. Moreover, the resolution is criticizing only Israel and calling on it to cease all its activity beyond the June 4, 1967, lines -- which is defined as a violation of international law. Nothing is asked of the Palestinians.

While the Israelis clearly opposed the resolution and hoped it would be vetoed by the U.S., one can ask: Does this resolution create a precedent? It is hard to see how. President-elect Trump was clear about his opposition to it and has already tweeted in response to the resolution that things will be different in his administration. Even in UN

terms, the fact that the resolution was considered under Title 6 and not Title 7 means it cannot serve as a predicate for imposing sanctions later on -- clearly a path the Palestinians would like to go down.

If there is one area in the resolution that may be potentially problematic for the future, it is the reference to the settlements being illegal. That could create problems for the one possible formula for resolving the border at some point: settlement blocs and territorial swaps. One way to absorb a significant number of settlers is to permit settlement blocs which are on a small part of the West Bank to become part of Israel; in return the Israelis would swap territory as compensation to the Palestinians. Will that not be more difficult if all settlements are deemed illegal? Making the concept of blocs and swaps harder to implement is probably not the legacy President Obama wants, and yet it may be one he has just made more likely.

Dennis Ross, the counselor and William Davidson Distinguished Fellow at The Washington Institute, is the author of [Doomed to Succeed: The U.S.-Israel Relationship from Truman to Obama](http://www.washingtoninstitute.org/policy-analysis/view/doomed-to-succeed) (<http://www.washingtoninstitute.org/policy-analysis/view/doomed-to-succeed>). ❖

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