



A Coming Storm? Prospects and Implications of UN Recognition of Palestinian Statehood

By **Tal Becker**

To judge from the wide-ranging speculation, United Nations recognition of Palestinian statehood—planned by the Palestinian Authority (PA) for this September—will be either a watershed moment or a largely symbolic piece of diplomatic theater. Israel’s defense minister Ehud Barak has referred to this development as a “diplomatic tsunami.” But others have argued that since UN General Assembly resolutions are nonbinding, recognition of Palestinian statehood will have little practical effect.

For the moment at least, the Palestinian leadership has declared its intention to continue to pursue the UN option, despite firm U.S. opposition. If the Palestinians are not persuaded to abandon this move—or some intervening event (such as resumed negotiations) does not avert it—many questions will need to be answered. How will Israel, the United States, and other key actors respond to this initiative? What would the resolution actually seek to establish? What might its legal and political implications be? And how might it impact upon the prospects for a negotiated settlement?

Though one would not know it from much of the commentary, the Palestinian initiative at the UN is not taking place in a vacuum. It is but one part of a complex and evolving regional and local dynamic that may have profound implications for the future of the Israeli-Palestinian conflict, and the

prospects for resolving it. Unless those concerned with preserving (let alone advancing) the option of a negotiated solution understand the UN initiative in this wider context, they are unlikely to develop an adequate response to it.

Predicting the broader implications of a UN vote on Palestinian statehood, or offering detailed policy options for addressing it, is a risky enterprise when so much is still in flux. But it is possible to map out the issues and alternatives that will need to be considered as the September deadline approaches. This Policy Note examines the likely scenario the international community will face at the UN, as well as the factors that have influenced the Palestinian leadership to pursue this course. The piece proceeds to consider the potential implications of such a resolution, its possible components, and the policy options available to the United States for addressing or influencing this initiative.

The Road to the UN

To speak of strategy when it comes to Palestinian politics, or most of Middle East politics for that matter, can often be misleading. It implies too much forethought and control of events when the reality is more chaotic and haphazard. Governments are often caught responding to events rather than shaping them. If the contours of the UN initiative are unclear to the international community, this is, at least in part, because they are not yet clear to the Palestinian leadership that is advancing it.

Historically, the UN—and especially the General Assembly—has provided hospitable terrain for the Palestinians to search for some political counterweight to Israeli control on the ground, as well as to gain some international support for their negotiating positions. But the present Palestinian gambit at the UN is better understood in terms of a Palestinian leadership in the West Bank that is groping for a popular and relevant alternative to negotiations with Israel. The recent agreement between Fatah and Hamas and the growing appeal of Palestinian civil disobedience and popular protest, as well as an increasing Palestinian willingness to test Washington's patience, are all, in this sense, symptoms of the same phenomenon.

While many factors have been relevant to Palestinian calculations to pursue the UN course, four stand out. The first is the absence in Palestinian eyes of an Israeli counterpart to an end-of-conflict agreement. Israel, of course, makes a similar claim. In fact, both sides have spent much of the last two years—since the suspension of the Annapolis negotiations—assigning to the other the blame for deadlock or staking out positions that, in the other's eyes, complicate the search for common ground. This is testimony not only to the objective difficulty involved in reaching a deal that meets both sides' minimal expectations but also to lingering and profound doubts each side has about the sincerity of the other.

Regardless of where the actual responsibility lies, the fact remains that many in the Palestinian leadership who once supported negotiations have concluded that, at least under present conditions, negotiations are a hopeless endeavor. This sense

has been exacerbated by a Palestinian perception of U.S. inability to “bring Israel to the table,” which is tied in Palestinian minds as much to U.S. weakness as to U.S. mismanagement. Palestinian president Mahmoud Abbas still claims a willingness to negotiate, on condition that Israel freeze settlement construction, including in east Jerusalem, and accept the 1967 lines with agreed swaps as the basis for a border agreement. But not only are these terms that Prime Minister Binyamin Netanyahu and his coalition have not yet been willing to accept, they also belie a deeper and, by all accounts, more popular current Palestinian sentiment to seek alternative, and less politically costly, ways for advancing Palestinian interests.

Second, the impact of popular uprisings in the Arab world on Palestinian calculations should not be underestimated. In the midst of regional upheaval, Palestinian leaders from both Fatah and Hamas are keen to be seen as responding to public need lest popular anger be directed against them rather than against Israel. This, in part, explains the Fatah-Hamas “unity” agreement, given that reconciliation is consistently raised as the most important issue to the Palestinian public.¹ By the same token, Palestinian victories at the UN (even if symbolic) are particularly attractive at a time of increased sensitivity to public temperament. Abandoning the painful concessions associated with the negotiating process in favor of a defiant assertion of Palestinian rights on the global stage (and on the streets) is more in tune with regional dynamics. From the Palestinian perspective, when Arab peoples in Tunisia, Egypt, Libya, and Syria are rising to confront despotic rule, they are loathe to be seen as complacent, or compromising, in the struggle to end Israeli control.

The third factor relates to President Abbas's preoccupation with his own legacy. Abbas has made clear that he will not run in the next Palestinian elections, due in one year, assuming the Fatah-Hamas agreement can hold. As he considers leaving

1. Arguably, the Fatah-Hamas agreement—even if it holds—is far less a reconciliation agreement than it is a tactical decision by both Fatah and Hamas to hold elections. Nevertheless, the appearance of movement toward reconciliation is politically popular for both factions.

the political stage, the prospect of being the Palestinian leader who lost elections and Gaza to Hamas and failed to advance core Palestinian interests at the negotiating table must surely weigh on him heavily. Personally, he may have preferred the legacy of the peacemaker. But, considering the alternatives, the possibility of UN recognition for Palestinian statehood, coupled with some semblance of Palestinian unity and an orderly transition via elections, is clearly appealing and may even help Abbas's camp at the polls.

Fourth, and finally, the progress made on the ground in the West Bank in terms of statebuilding has made recognition of statehood appear more meaningful. When Yasser Arafat declared statehood in 1988 in Algeria, the move was largely symbolic as it lacked any connection to reality on the ground. The declaration received nominal recognition from many nonaligned and developing states, but it was without real practical effect. Similarly, when Arafat suggested that he would unilaterally declare statehood (again) in May 1999 if a permanent-status deal were not concluded, it came to be seen as an empty threat and was in due course abandoned.

This time, the context and the potential ramifications are different. Under the leadership of Abbas and, especially, Prime Minister Salam Fayad, the institutions and contours of a nascent and functioning Palestinian state have emerged, at least in the West Bank. Respected organizations, such as the World Bank and International Monetary Fund (IMF), have declared that Palestine is "ready for statehood." Individual states, particularly in Latin America and Europe, have either offered recognition or otherwise upgraded their relationship with the PA. Expectations have thus been created on the ground by the Palestinian leadership, and to some extent by the international community, that this time the move may be more than merely symbolic or tactical.

Taken together, these factors have been enough, thus far, to overwhelm what usually operate as constraints on Palestinian decisionmaking. Neither U.S. opposition, forcefully expressed at the moment by President Barack Obama, nor the risk of the suspension of congressional funding, nor possible retaliatory action by Israel, seems enough—for

now—to divert the Palestinian leadership from the UN course. In fact, in light of the regional mood, U.S. and Israeli opposition to the UN move is likely to be seen by some Palestinians as a political asset.

Admittedly, there are signs that some in the Palestinian leadership, including Abbas himself, have growing concerns about the consequences of the UN vote. As September approaches, Palestinians may worry whether, after the dust settles, symbolic achievements at the UN may set back more meaningful developments, or even produce unwanted outcomes, in practice.

But, at least for now, the UN initiative for statehood seems to have acquired a momentum of its own. Having committed to it, Abbas will not have an easy time reversing course, certainly not in the absence of some demonstrable achievement. The UN vote has become the default option for advancing the Palestinian cause, but whether it can, or should, live up to the promise its advocates have invested in it is an entirely different question.

Understanding the UN Dynamic

Before considering the potential impact of the Palestinian initiative, and policy options for responding to it, it is important to appreciate the likely dynamic at the UN if this issue is brought before it. The scenarios here are considerably more varied and complex than most commentators have acknowledged, but this paper addresses only the main possibilities.

Palestinian representatives have declared that they aim to have Palestine admitted as a full member state of the United Nations. According to the UN charter, membership requires a recommendation of the Security Council (i.e., the support of nine Security Council members, without use of the veto by any permanent member) that is then endorsed by a two-thirds General Assembly (GA) majority (of member states present and voting).

If present accounts are accurate, the Palestinian leadership will formally apply to the UN for membership as early as mid-July. Under the relevant UN rules of procedure, this would allow time for the Security Council to deliberate and make its recommendation on membership in advance of the

opening of the regular session of the GA (scheduled for September 13).

In all likelihood, however, progress in the Security Council will be blocked or delayed. This may be achieved either by procedural impediments, a competing resolution, or the veto, which at least the United States will apply.² In this situation, the Palestinians would need to decide whether to pursue a resolution in the GA—the UN plenary body in which no state enjoys a veto. While it is currently assumed that the Palestinians would immediately apply to the GA, this is not a foregone conclusion and much will depend on exactly what the Security Council decides, as well as the positions adopted in the Security Council by key member states.

Assuming the Palestinians do turn to the GA, they are likely to do so under a procedure referred to as “Uniting for Peace.”³ Adopted in 1950 in the context of the Korean War, the Uniting for Peace resolution provides for emergency sessions of the GA in instances where the Security Council is deemed to have failed to meet its responsibilities. In this way, the GA is able to convene quickly to exercise its subsidiary role in making recommendations on issues related to the maintenance of international peace and security.

Much misinformation surrounds the legal and procedural aspects of this action. Recourse to the GA under Uniting for Peace is a common Palestinian strategy in the UN, especially when the Security Council fails to endorse Palestinian initiatives. In the Palestinian case, a “standing” 10th Emergency Special Session of the GA has been in place since 1997, which has allowed for immediate recourse to the GA without the usual procedural hurdles.

2. The result in the Security Council may take several forms. One option, for example, discussed in section 5 of this piece, is a Security Council resolution that neither rejects nor accepts the Palestinian application, but rather defers its consideration, while calling on the parties to resume negotiations in accordance with parameters that the Security Council would determine. In this scenario, Palestinians may be disinclined to go to the General Assembly.
3. This may not be the only option for General Assembly consideration of the Palestinian request. For example, it is possible that the issue will be brought to the GA as part of its regular deliberations, such as under an existing agenda item (e.g., “Admission of New Members to the United Nations”). In this case, somewhat different rules of procedure would apply.

In principle, legal objections can be raised to this procedure, and limit the circumstances when it can be used. In practice, legal fastidiousness has rarely been a feature of the GA’s treatment of the Palestinian issue, and the International Court of Justice in its advisory opinion on Israel’s security barrier gave wide latitude for applying the Uniting for Peace mechanism.

From a substantive perspective, GA resolutions, even under the Uniting for Peace procedure, are not legally binding upon states. They have practical effect within the UN system, and can compel UN organs to act. But, in terms of states, their significance is primarily in the political and not the legal realm.

Palestinian leaders will hope that this resolution will constitute a significant exception to most GA resolutions on the Palestinian issue, which have limited resonance beyond the UN’s cloistered halls. In order to maximize its impact, these leaders will aim to calibrate the text in a way that attracts the widest political support, without overly compromising key Palestinian positions. In the context of the GA, where regional blocs largely dominate voting patterns, a sizable majority is all but guaranteed by the near automatic support of Islamic, nonaligned, and developing countries (which constitute more than 100 members of the 192-member body). The only real “swing vote”—which will largely determine the “success” of the resolution in political and public diplomacy terms—is held by the European Union and associated countries that follow the EU in their UN votes.

In the absence of Security Council support, the Palestinians will need to decide whether to persist in pursuing UN membership in the GA or limit their request to recognition of Palestine as a nonmember state.⁴ In theory, using the Uniting for Peace procedure, Palestinians could claim that the Security Council has failed to live up to its

4. This is the status currently held by the Holy See and, until 2002, by Switzerland as well. It would essentially confer on Palestine the position of an “observer state” in the UN system, although “Palestine” already functions as an observer with UN rights and privileges similar to those of nonmember states. The legal and policy implications of this kind of General Assembly recognition are addressed in section 4.

obligations, and that it falls to the GA to act in its stead and accept Palestine as a member.

Such a resolution, if passed in the GA, would be highly irregular and fail to comply both with the UN charter's conditions for membership and with an unambiguous opinion of the International Court of Justice on the subject.⁵ But, surprisingly enough, it may not be without some effect within the confines of the UN system. This is because the UN Secretariat has historically shown deference to any GA decision, even those decisions that violate the UN charter, on the grounds that its mandate is limited to implementing the decisions of the UN's political bodies, not questioning their legality.

This result would create a stark anomaly within the UN, which would be seen by many member states as harming UN credibility and creating a problematic precedent. In fact, it seems fair to predict that there will be sizable opposition to formal UN membership for Palestine in the absence of Security Council support.

It is far more likely, as some Palestinian representatives have already conceded, that the Palestine Liberation Organization will limit its request in the GA to recognition of Palestinian statehood along the 1967 lines. In this case, European countries in particular can be expected to be torn between their sympathy for Palestinian statehood and their support for negotiations with Israel as the path to achieving it.

The countries most instrumental in shaping the EU position in the GA in response to such a Palestinian resolution will be France, Germany, and Great Britain. This is why Israeli, Palestinian, and U.S. attention has been so closely focused recently on these three states, and why the Palestinians may well settle for far less than their optimal resolution in order to seduce the EU, or at least select European countries, to vote in their favor.

As the dynamic usually plays out in the GA, the Palestinian side may be forced to choose between a more aggressive resolution bereft of European

support and a milder text that can potentially isolate the United States and Israel in opposition. In the present context, some of the direst Israeli predictions about what the UN resolution may include (recommended sanctions against Israel, for example) are unlikely to materialize because of the importance, in Palestinian eyes, of European endorsement to the legitimacy and political weight of the resolution.

In sum, the scope and content of any future Palestinian resolution that is brought to the GA for a vote will largely depend on the outcome of European and Palestinian bargaining. Given the procedural obstacles, this is a process that could extend well beyond September. Unless the Palestinian resolution in the GA is thwarted by some earlier intervening development, three options present themselves. The United States and Israel may persuade European countries to object to (or abstain from voting on) the Palestinian initiative en bloc, in which case it is not inconceivable that the initiative in the GA will be abandoned. Second, despite a strong EU preference to maintain unity, the European countries may split, with those supporting the resolution being satisfied with more minimal changes to the Palestinian's initial resolution. Finally, there may be enough flexibility in the Palestinian position, or enough conciliation in the European one, for broad European support.

Potential Implications of UN Recognition

Many assessments have been made about the implications of General Assembly recognition of Palestinian statehood. Some of the more far-reaching predictions betray an ignorance of the nature and limits of GA resolutions, while others demonstrate undue certainty about what the resolution will actually seek to establish. Given the complexity of the Israeli-Palestinian dynamic, it is also difficult to tease out which outcomes may be linked directly to a UN vote and which may be driven by other, no less significant, currents in the Israeli-Palestinian or regional arena.

If the Palestinians proceed with their UN initiative in the GA, much will turn both on the precise

5. International Court of Justice, "Competence of the General Assembly for the Admission of a State to the United Nations, Advisory Opinion of 3 March 1950," <http://www.icj-cij.org/docket/files/9/1883.pdf>.

content of the resolution and on the quantity (and quality) of the states supporting it. In the nebulous world of the UN and Israeli-Palestinian politics, the implications of the resolution will be influenced not only by a strict legal analysis of its terms but also by what the resolution is perceived to have achieved in the more subjective and political interpretations of states and opinion-formers.

For the purpose of examining the potential impact of UN recognition, it is necessary to assume that a sizable majority of states will support a GA resolution accepting Palestinian statehood based on the 1967 lines.⁶ In this case, a number of possible consequences may arise, or at least be intensified, as a result of UN recognition.

Abandoning the negotiation paradigm. Perhaps the most problematic potential impact of UN recognition of Palestinian statehood is to provide decisive momentum for existing trends within Palestinian politics that favor abandoning the negotiating paradigm. In his recent May 2011 op-ed in the *New York Times*, President Abbas himself extolled the benefits of recognition in terms of advancing nonnegotiation alternatives. While claiming that negotiations remain the Palestinians' first option and that, as a state, Palestine would stand ready to negotiate with Israel, he also asserted:

Palestine's admission to the United Nations would pave the way for the internationalization of the conflict as a legal matter, not only a political one. It would also pave the way for us to pursue claims against Israel at the United Nations, human rights treaty bodies and the International Court of Justice...We have been negotiating with the State of Israel for 20 years without coming any closer to realizing a state of our own...Negotiations remain our first option, but due to their failure we are now compelled to turn to the international community to assist us in preserving the opportunity for a peaceful and just end to the conflict.

Even if negotiations are held open as a theoretical possibility following UN recognition, the

implications of the resolution may be to embolden maximalist and unilateralist tendencies. Recognizing this concern, Palestinian representatives have begun to provide reassurances about their readiness to resume talks after recognition, even hinting at a willingness to drop preconditions. But even if these reassurances are sincere, events may overwhelm them. Palestinian success at the UN may not only produce a negative Israeli response to any subsequent negotiation overture (at least initially). It will also provide impetus for more unilateral initiatives to further internationalize the conflict, including exporting it to additional legal and political forums far removed from the negotiating room.

The issue here is not just that such unilateral initiatives run counter to certain key UN resolutions and to agreements reached between the parties that expressly prohibit such action by either side. This more legalistic argument is liable to carry limited weight for some states, given their deep frustration with the deadlock in negotiations and what they see as Israel's own infringement on the prohibition against unilateral steps, especially through settlement construction.

The core problem is that facilitating such a dramatic unilateral initiative may endanger any prospect of return to the negotiating table in the foreseeable future, and empower those on both sides who wish to avoid genuine dialogue and reconciliation. If the last twenty years have involved either having the parties negotiate or argue about why they were not negotiating, UN recognition—especially if advanced as an alternative to negotiations—could potentially mark the moment when the negotiating model came to an end.

Some consider the negotiating option already dead and may be unmoved by this argument. But for the many who still believe that resolving the Israeli-Palestinian conflict can ultimately only be achieved by agreement, the UN initiative carries problematic implications. This is not necessarily because it undermines the prospect of meaningful talks in the near term—a possibility regarding which many are skeptical—but rather because it makes the task of preserving the framework for negotiations in the future that much harder.

6. Other elements that may be part of the resolution are considered in section 5.

It is, of course, conceivable that recognition of Palestinian statehood at the UN will eventually lead to state-to-state negotiations between Israel and Palestine. However, there is reason to worry that its most immediate effect will be to trigger more unilateral actions and reactions, deepening the conflict and further polarizing the two sides at the expense of the negotiation option.

Legal and practical aspects. Formally speaking, it is not the task of the UN to recognize other states. Moreover, from a legal perspective, the UN cannot create states. States are established based on practical compliance with specific legal criteria, as accepted and recognized by fellow sovereign states. Indeed, significant questions remain as to whether Palestine even meets these criteria, most especially the need for effective and independent governmental control. But these legal considerations may not preclude numerous states in the General Assembly (as a political, not a legal, body) from purporting to collectively assert such recognition, just as they have not precluded numerous states from according such recognition on an individual basis.

It is beyond the scope of this paper to examine all the possible implications, legal or otherwise, of such a development, but several observations are warranted. Initially at least, the actual implications of recognition of Palestinian statehood may fall considerably short of current Palestinian expectations. The most immediate consequence may be that those states supporting the resolution would, contrary to Israeli-Palestinian agreements, seek to further upgrade their bilateral diplomatic relations with Palestine, enter into bilateral treaty arrangements with it, or accord Palestine sovereign immunity and its representatives diplomatic immunity.

It is also possible that, following the resolution, the Palestinian side will insist on being treated as a state even by those countries that withhold support for the resolution, notably Israel and the United States. Given their opposition to recognition, Israel and the United States are unlikely to concede any new sovereign privileges to the PA. The resulting conflict would, among other things, greatly complicate or even rupture existing cooperation

mechanisms, such as in the critical fields of security and water management, which function on the basis of the Oslo self-government arrangements.

Palestine may also pursue membership in various treaty and UN bodies that are not subject to Security Council endorsement. In some of these bodies, membership would grant Palestine additional rights, at least on paper, and allow for further internationalization of the conflict by enabling the Palestinians to table issues before the dispute mechanisms of these organizations rather than at the negotiating table.

Indeed, one of the most direct and far-reaching potential consequences of UN recognition of statehood relates to the International Criminal Court (ICC). The Palestinians have already applied to the ICC prosecutor to accept the court's jurisdiction, a possibility limited by the court's statute to sovereign states. UN recognition of statehood may tilt the scales in favor of granting the ICC jurisdiction over alleged crimes in the West Bank and Gaza Strip, and encourage the Palestinians to further pursue this course. The fallout of this kind of use of the ICC, given the high risks of politicization and acrimony, may not only bring Israeli-Palestinian relations to a breaking point but also threaten the credibility and reputation of an important international legal institution, as well as its future relations with the United States. As a relatively new judicial body, the court may quickly find itself embroiled in the bitter politics of Israeli-Palestinian affairs, and become a magnet for similar controversy in other conflict zones around the globe.

UN-recognized statehood may also change the vocabulary of the conflict, with Palestinian spokesmen more regularly invoking terms such as "territorial integrity," "political independence," and "self-defense," drawn from the UN charter's provisions and interstate legal norms. But it is not clear what real difference this would make since many of the charter's core interstate principles, as well as other international legal norms, are already relevant to (and debated in) the Israeli-Palestinian context, albeit in somewhat modified form.

It is important to note that one consequence of recognition that has been claimed by several

commentators does not accord with conventional legal principle. Some have argued that once Palestine is recognized by the UN as a state, Israel's legal status from an international perspective will shift from "occupier" to "invader," necessitating immediate Israeli withdrawal even in the absence of a negotiated agreement.

From a legal perspective, this is incorrect. From the viewpoint of those states recognizing Palestine, Israel will legally be considered as occupying sovereign Palestinian territory but this will not essentially alter Israel's legal status. In fact, occupation is a state of affairs that has historically involved the foreign control of sovereign territory, rather than the far more complex and unique circumstances faced in the Palestinian case.

Even after recognition, Israel will continue to assert—not without legal foundation or a measure of international support—that its withdrawal from West Bank territory will require a negotiated settlement that accommodates the legitimate interests of both sides. As discussed in the following passages, what may change is not the legal status of Israel in the West Bank, from the perspective of the international community, but the political costs involved in Israel's continued presence in that territory.

Delegitimization and isolation of Israel. The General Assembly cannot compel states to adopt sanctions or other punitive measures against Israel. Nevertheless, under the umbrella of a resolution that welcomes a unilateral Palestinian initiative, efforts at delegitimizing or isolating Israel, by governments and NGOs alike, are likely to become energized. In this sense, a resolution that roundly embraces Palestinian interests and ambitions, and neglects Israeli concerns, may help fuel existing efforts of boycott, divestment, and sanction of Israel and generally intensify an Israeli sense of vulnerability and defensiveness.

Some in the international community believe that only this kind of pressure and isolation can induce meaningful Israeli concessions. But the history of the conflict, and an appreciation of both Israeli and Palestinian society, points in the other direction. Generally speaking, the sense of international

hostility, rather than understanding, has only hardened Israeli positions, strengthened those opposed to accommodation, and helped convince Israelis that their country can rely on no one but itself.

Violence. There are increasing signs of a potential outbreak of Palestinian violence in the near term, with some analysts predicting the eruption of a "third intifada." The influence of the Arab Spring, the prolonged deadlock in negotiations, and the prospect of a breakdown in Israeli-Palestinian security cooperation (following the Fatah-Hamas agreement and the potential for the suspension of U.S. funding for the PA) all tend in this direction. In addition, there is growing popular and political support for Palestinian civil disobedience initiatives, which, in the history of Israeli-Palestinian relations, have often deteriorated into violent confrontation. There are mitigating factors as well, most notably the improvement of economic conditions in the West Bank and the lasting impact of the recent war in Gaza, that may make many Palestinians reluctant to return to violence.

The impact of a UN resolution on this dynamic is debatable. On the one hand, a symbolic achievement in New York that is not matched by gains toward statehood on the ground may bring Palestinian frustration to the point of violent outburst. On the other hand, were the Palestinian UN initiative to be thwarted, this might also produce a sense that violence is the only alternative.

From this perspective, the risk of violence—always a feature of Israeli-Palestinian reality—seems less connected to a vote in New York than to the present regional environment, to the erosion of a common interest of Israel and the PA in maintaining calm, and to a sense that the prospect of further improving conditions on the ground is, at best, limited or, at worst, exhausted.

U.S. and Israeli reaction. Another likely consequence of the UN initiative, in its present contours, is a significant deterioration in U.S.-Palestinian and Israeli-Palestinian relations. Even if the Fatah-Hamas agreement does not hold or is delayed in implementation, it seems likely that a successful

Palestinian initiative at the UN will in any case endanger congressional support and funding for the PA. Indeed, there are already signs that Congress is preparing to react harshly to any Palestinian success at the UN. The U.S. administration may also feel compelled to express its dissatisfaction with the Palestinian recourse to the UN in concrete form, and to visibly cool its relationship with Ramallah.

Political pressure and public sentiment in Israel may also weigh in favor of countermeasures. Whether Israel goes as far as annexing settlement blocs—a move the international community, including the United States, is likely to vigorously oppose—is questionable. But some significant actions, such as withholding tax revenues, minimizing cooperation, withdrawing privileges for Palestinian VIPs, and intensifying security measures, are certainly conceivable.

The overall effect of these measures, sparked by the UN vote, may be to contribute to an unpredictable downward spiral in relations, deepening the rift between the two sides and their peoples, empowering both Israeli and Palestinian extremists, and complicating efforts to stabilize the situation.

Positive implications. The case can also be made that a UN resolution favoring Palestinian statehood is not without its merits, especially if drafted in a more balanced and less inflammatory way. Without necessarily diminishing the negative factors outlined above, three potential countertrends can arguably be identified.

First, regional developments point to the gradual empowerment of Islamist forces that largely reject the two-state model. Broad international and Arab endorsement of a resolution that sets the outer limits of Palestinian demands in terms of the two-state vision, along the 1967 lines, can be seen as a significant palliative to these more rejectionist tendencies.

Recent popular Arab and Palestinian protests marking the Nakba—the “catastrophe” of Israel’s establishment in 1948—are just one example of how strong tides of rejection remain a prominent feature of Arab and Palestinian discourse. The risk of Arab sentiment coalescing around this position

and generating violent popular protests against Israel’s very existence would severely destabilize the situation and profoundly erode the legitimacy of the two-state framework.

In this context, a Palestinian “victory” at the UN that sets the conflict and its resolution in “1967 terms” may help stem this tide, preserving the validity of the goal of two states for two peoples and the relevance of more pragmatic Palestinian forces. By contrast, a resounding Palestinian defeat in New York may not necessarily push Palestinians back to the negotiating table—as some in the international community hope—but rather strengthen the hands of extremists in arguing that decades of fruitless diplomacy around the two-state model have been a losing strategy.

Second, if properly crafted and choreographed, a UN resolution could present something of an ideological challenge to Hamas, particularly if the resolution were adopted after a Fatah-Hamas-endorsed government came into being. On the one hand, Palestinian success at the UN would be seen as a considerable achievement for which the Palestinian leadership would be keen to take credit. On the other hand, the resolution—even if its terms are unacceptable to the United States or Israel—may involve compromises that Hamas in particular will find difficult to explain.

A resolution that, for example, includes endorsement of the goal of ending the conflict based on the two-state vision, that supports the Arab Peace Initiative, or that expressly renounces terrorism would seem to meet Fatah standards but will place Hamas in a dilemma. In response, Hamas may choose to distance itself from the resolution, in which case Fatah alone will reap the political benefits of a Palestinian diplomatic success. Alternatively, Hamas will resist opposition to the resolution, introducing fissures into its rigid ideological stance. Either scenario may be seen as beneficial for supporters of more moderate and pragmatic forces.

This consideration gains importance in light of the possibility of Palestinian elections within the year. If Abbas is able to achieve success at the UN, or even translate the threat of UN action into specific Palestinian gains, this may boost Fatah’s

popularity among Palestinian voters in the lead-up to elections.

A third potential benefit of the resolution is more controversial. Some argue that recognition of Palestinian statehood, even outside the context of a negotiated agreement, would create a reality that, in practice, contributes to a two-state framework. Under this perspective, the emergence of a recognized Palestinian state would entrench the two-state model and enable the conflict to acquire a more limited, and less controversial, state-to-state character. According statehood to Palestine, in this view, would further erode the legitimacy of Palestinian claims for refugees' return to Israel, diminish Israeli demographic concerns, and weaken the case for a binational state.

This view recommends U.S. and Israeli endorsement of the Palestinian initiative, at least under certain parameters—a policy option favored by some think tanks and pundits. This could take the form, for example, of a U.S.-backed Security Council resolution that recognizes Palestine as part of a broader political package that calls for negotiations based on the “two states for two peoples” framework.

Despite the arguable merits of this approach, political constraints and already declared positions make it hard to imagine the United States, let alone Israel, pursuing this course. Beyond the question of its political feasibility, some of the reasoning that underlies this model may be open to question. For one thing, what may come to be seen as Israeli occupation of a recognized sovereign state is liable to intensify international attention on the conflict rather than diminish it. For another, once recognition is granted, Palestine and the states that support it may be less inclined to agree, even indirectly, to a host of conditions Israel has traditionally considered necessary to enable its withdrawal, including, for example, demilitarization and a long-term Israeli security presence in the Jordan Valley. Indeed, accepting Palestinian sovereignty outside the context of a negotiated agreement may end up strengthening those Palestinians who advocate the benefits of maintaining maximalist and inflexible positions vis-à-vis Israel, making it more

difficult to achieve the compromises necessary for an agreement.

In sum, while an appropriately drafted resolution according Palestine recognition could possibly contain certain concrete benefits for supporters of the two-state framework, it is unlikely to attract U.S. or Israeli support and it need not do so for some of these potential benefits to be realized. Beyond the political constraints that in all probability prevent U.S. and Israeli acquiescence to Palestine's recognition outside a negotiated framework, Israel will be concerned whether core principles and arrangements long considered central to support for Palestinian sovereignty could be effectively negotiated and enshrined after recognition was already granted.

U.S. Policy Options

For the United States, the Palestinian initiative at the UN represents a challenge on several levels. In policy terms, the U.S. position seems driven by the view that unilateral Palestinian steps at the UN will undermine the two-state model, endanger the negotiation option, and isolate the United States in the multilateral arena. President Obama made these objections clear, for example, in his May 25 press conference with British prime minister David Cameron:

I strongly believe that for the Palestinians to take the United Nations route rather than the path of sitting down and talking with the Israelis is a mistake; that it does not serve the interests of the Palestinian people, it will not achieve their stated goal of achieving a Palestinian state. And the United States will continue to make that argument both in the United Nations and in our various meetings around the world.

The UN gambit is not just seen as a policy challenge to peace efforts; it is also a challenge to U.S. leadership in Israeli-Palestinian affairs, and to U.S. relations and influence in the region. In this context, seeking recognition through the UN certainly risks introducing more strain not only into the U.S.-Palestinian relationship but also into the already uneasy relations (at least in some areas) between Washington and Jerusalem. This is not just because the United States may seek to relieve the pressure

posed by the September plan by urging Israeli concessions that the Netanyahu coalition will be disinclined to offer. It is also because the Palestinian initiative as a whole risks placing U.S. support for Israel in tension with its support for the popular aspirations elsewhere in the region.

President Obama, who expressed hope at the UN last year that Palestine would be welcomed as a member state, is now faced with the prospect of having to thwart that outcome. The question in the administration is not whether it should oppose the Palestinian initiative but how best to do so, and it is within the context of this policy position that the observations in this section are made. Current U.S. policy appears concentrated on trying to recruit European and other states to help scuttle the Palestinian UN initiative or on persuading the Palestinian leadership to abandon it. U.S. diplomatic efforts seem focused now on assessing whether either course is feasible and what they might reasonably take to achieve. As is often the case, the administration may find itself debating up to the last minute whether it is better to pay the costs, actual or perceived, of a veto or of the compromises necessary to avoid it.

If the debate last February in the Security Council over the settlements resolution is any indication, the United States faces a considerable challenge, and the prospect of it being isolated in the UN once again is not without foundation (though the political consequences of this isolation can be exaggerated). On this occasion, however, the stakes are considerably higher, but so is the uncertainty, especially within the EU, regarding the merits of the Palestinian initiative.

Unlike the settlements, for which international policy is established, the notion of UN recognition of Palestinian statehood places strong sympathy with the Palestinian cause at odds with other traditional international positions, including support for negotiations and for Israeli security needs. The precedential implications of recognition, as well as the risk of triggering a negative and even violent dynamic in Israeli-Palestinian relations, may also concern many states. In short, the United States has a reasonable chance of persuading (or enticing) at least some

other key states not to leave it to Washington alone to oppose the Palestinian UN agenda.

As for the Palestinians themselves, while their motivations for backing the UN initiative are clear (see section 2), there are also leading Palestinian figures who question its wisdom and worry that it will ultimately produce a Pyrrhic victory. Fears of unmanageable expectations, violence, and U.S. or Israeli retaliation may intensify. The possibility that, as September approaches and the risks become clearer, some in the Palestinian leadership will seek to avert a head-on confrontation should not be ruled out. Indeed, this would not be the first time that the Palestinian side sought to convert brinkmanship at the UN into gains elsewhere. For the United States, diverting the Palestinian leadership from the UN course may come at too high a cost, but it is an option that merits consideration.

Several avenues are available to further current U.S. policy in addressing the Palestinian initiative at the UN, each with its benefits and limitations:

Harness principled opposition. The most limited approach would simply involve aggressive lobbying, especially with European states, against the Palestinian resolution. Unlike other alternatives to be considered in the passages that follow, under this option the United States would not seek to “purchase” opposition to the UN vote by any concession or policy initiative of its own. It would just try its hand at persuading European and other states—if not the Palestinians themselves—to oppose the unilateral initiative on the strength of the arguments against it, possibly accompanied by the threat of subsequent U.S. retaliation in other areas.

This course may be preferred by many in Israel, and has the advantage of maintaining a principled position, avoiding strain in U.S.-Israel relations, and minimizing domestic political difficulties. It also avoids rewarding the Palestinian leadership for the UN gambit in a way that may invite further controversial unilateral initiatives.

But what this option gains in integrity, it may lose in effectiveness. A common refrain heard in Washington these days is “You cannot fight something with nothing.” Many European states may

find it difficult to simply oppose the Palestinian resolution in a vacuum, given domestic political pressure and their basic support for Palestinian independence, coupled with their irritation with the impasse in negotiations. If there is real concern in Washington about the fallout of the UN initiative and about U.S. isolation at the UN, the course of blanket opposition and letting the chips fall where they may could be too risky an alternative.

A concerted effort to renew negotiations.

Alternatively, the United States may seek to pick up the pieces of the negotiation process and attempt to force the parties back into the negotiating room. The recent French initiative to convene an international conference that would restart negotiations, on the basis of agreed terms of reference, is driven by this aspiration. Indeed, the United States is actively pursuing this option in its current diplomacy with both sides.

European states would like nothing more than renewed negotiations that would enable the Palestinians to withdraw their UN initiative and spare the EU the need to address the September dilemma. In fact, as the UN target date nears, we are likely to see even more “initiatives” aimed at directing the Palestinians back to the negotiating table and away from the UN.

As September approaches, both sides may come to fear the potential fallout of a UN vote and be increasingly willing to contemplate what decisions and concessions may be required to avert it. Publicly, both Israeli and Palestinian leaders will continue to profess that they are open to negotiations, and that it is the other side that has made the UN a relevant alternative. And yet, returning the parties to negotiations in practice will still pose a significant challenge.

Quite apart from widespread pessimism about the prospects of these negotiations, two concrete preliminary issues loom large. The first is Palestinian insistence that negotiations be based on the 1967 lines, plus agreed land swaps, as well as a full settlement freeze. The second is Israeli insistence that it will not negotiate with a government of which an unreformed Hamas is a part.

The United States, working alone or in concert with its Quartet partners (the UN, EU, and Russia), will want to see whether it can finesse these issues, possibly using President Obama’s May speeches on the Israeli-Palestinian conflict as a basis. More hopeful observers may see positive signs. There are some indications of Palestinian flexibility, especially on the settlement freeze issue, which may signal increased willingness to negotiate or at least a tactical interest in placing Israel in a corner. Some creative formulations for the 1967 lines have yet to be tried. And the actual emergence of a Fatah-Hamas government is still facing considerable political obstacles.

Still, it remains questionable whether either side will feel able to actually pay the political price for concessions or be willing to defend its sudden flexibility on firmly held, and loudly declared, positions. Even if Israeli or Palestinian leaders become acutely concerned about the costs of a UN vote, the train has already left the station. Stopping it in its tracks will require new and painful decisions from both sides and the courage and political wherewithal to compromise—a commodity that has been in rare supply.

Fighting something with something.

An additional option is for the United States to offer concrete policy dividends in return for EU opposition or abstention, or a Palestinian retreat. According to some commentators, President Obama’s public endorsement of the 1967 lines plus agreed swaps as the basis for negotiations on the eve of his visit to Europe was designed to obtain this kind of leverage with the EU in the lead-up to September.

Particularly if efforts to encourage the parties to resume negotiations are spurned, U.S. and EU diplomacy may come to focus on setting agreed international markers for peace as a way of preserving the negotiating option and justifying EU objection to the Palestinian initiative. Another option would seek to negotiate with the Palestinians (not merely with the EU) on a package that would enable their withdrawal of the UN initiative.

One could envisage, for example, U.S.-EU agreement on the issuance of a Quartet statement, or even a Security Council resolution, that laid

out parameters for a two-state agreement (with possible reference to President Obama's speech) but refrained from adopting an action plan for relaunching talks. In addition to providing international guidelines on some core issues—which would seek to balance Israeli and Palestinian concerns—such a package could offer concrete (conditional) measures of assistance to the PA, and provide principled support for Palestinian statehood alongside Israel, while stopping short of granting the Palestinians unilateral recognition.

Yet another possibility is that in responding to the Palestinian application for membership, the United States will pursue (or support) agreement on a Security Council resolution that neither accepts nor rejects the request but rather defers its consideration to a later time. Such a resolution could include additional substantive elements, of the kind outlined above, that could replace (or at least significantly dilute the impact of) Palestinian efforts in the GA. The result could be a Security Council–endorsed framework for Israeli-Palestinian diplomacy after September leading to reconsideration of the Palestinian request at a subsequent date.

In each of these instances, the United States would be aiming to couch its opposition to the unilateral Palestinian move in more positive terms and in a way that did not necessitate a veto. Rather than simply objecting to the Palestinian request, the United States would seek support in preempting it, by setting the terms, and limits, under which the international community supports the Palestinian claim for statehood.

The underlying logic of this approach would be to avert a UN showdown by creating political cover for Europe to oppose the Palestinian initiative or for the PA to retract it. At the same time, it would prevent U.S. isolation at the UN, demonstrate U.S. leadership, and reaffirm international support both for Palestinian statehood and for the negotiation paradigm as the vehicle to achieve it.

But this model, too, carries significant drawbacks. First, this option risks rewarding Palestinian brinkmanship at the UN, and invites its repetition. Especially at a time when Abbas has agreed to establish

a government with an unrepentant Hamas, this policy may only confirm for the Palestinian side the benefits of an uncompromising and unilateralist approach. Second, even if agreed international parameters for a two-state framework could be formulated, this would run counter to the traditional U.S. position that negotiations should be without preconditions, and is likely to create considerable tension in the U.S.-Israel relationship.

Indeed, especially given present political conditions, neither the Israeli nor the Palestinian leadership is likely to endorse international positions that diverge from its own. The result may be an international initiative that is rejected by both parties—heightening political tensions and weakening U.S. and EU leverage with both sides. Far from preserving the negotiating option, this approach may ultimately further reduce its credibility.

Shaping the European response to a UN resolution.

A more modest option would involve quiet U.S. diplomacy that would try to produce agreement among all or some EU states on the conditions for supporting a Palestinian resolution in the General Assembly. Given the importance of EU support for the resolution in Palestinian eyes, U.S. officials may see an opportunity to press their own concerns with European states in order to influence the text that is ultimately brought to a vote.

Admittedly, some EU states may feel that endorsing even a diluted Palestinian resolution would have such deleterious effects for the peace process that they will prefer to take no part in drafting the text and simply oppose it on principle. But if UN history on the Israeli-Palestinian conflict is any guide, numerous European states—frustrated with deadlock and eager to be seen as active in supporting the Palestinian cause—may be tempted to engage a Palestinian resolution once it reaches the GA rather than wholly reject it.

In fact, as statements from various EU leaders clearly indicate, the Palestinian initiative is seen as an opportunity to gain some leverage, and to influence U.S., Israeli, and Palestinian leaders to take decisions more in line with European

policy preferences. Whether the EU states are able to reach, and stick to, a consensus position on this issue is a matter of speculation. Traditionally, Europe has often found it difficult to articulate a common position on Israeli-Palestinian issues at the UN that rises above stock, lowest-common-denominator formulations. Split European votes in the GA, especially on the Israeli-Palestinian conflict, are not uncommon. Indeed, France, Britain, and Germany have already staked out somewhat different postures—with France being more sympathetic to the Palestinian approach, Germany more opposed, and Britain adopting a calculated wait-and-see posture.

But whether the EU is united or divided, the United States could play a useful role in helping shape the response of key European states to the Palestinian initiative in a way that can mitigate its more troubling implications. Unlike the options discussed previously, this approach would not seek to have Europe oppose or replace a Palestinian resolution but rather to try to co-opt and shape it. It would be sensitive to the potential negative fallout both of a decisive Palestinian victory at the UN and of a decisive Palestinian defeat. If adopted early enough, this option could also try to influence the Palestinian initiative in its earlier phases, including recommending a less abrasive and ambitious initial Palestinian application.

The goal of this approach would be an outcome that, even if still opposed by the United States and Israel, was less far-reaching in its impact and balanced support for Palestinian aspirations with clear international red lines about the conditions for realizing them. If adopted in this way, the resolution could present an achievement of sorts for the “pragmatic” Palestinian camp while seeking to limit the negative consequences of a more maximalist resolution, as outlined in section 4.

In considering what potential components of the resolution EU states might be open to engage and address, the following issues will likely attract attention:

- **Recognition of statehood.** Even if the Palestinians were to stop short of demanding

UN membership, and limit the resolution to endorsing recognition of Palestinian statehood, this issue is likely to raise concern and debate within the EU. European countries, generally sensitive to international legal considerations, will worry about the precedent and negative impacts recognition may generate in such controversial and explosive circumstances, especially given strong U.S. and Israeli opposition.

In this light, at least some EU states may be open to persuasion that they are best served by a position that gives expression to their sympathy for Palestinian sovereignty but denies it practical effect. Such a stance could take different forms. For example, the EU may be willing to have the GA embrace the World Bank and IMF finding that Palestine is “ready for statehood,” without acknowledging that such a state currently exists. The EU may opt for a kind of “conditional recognition” that nominally recognizes Palestinian statehood but ties its application to certain criteria, such as a negotiated agreement with Israel. It may also resort to an ambiguous formulation that leaves the question of whether Palestine has been recognized by the GA open to interpretation, or adopt a short, descriptive text that merely stipulates the number of states that have already recognized Palestine and urges other states to consider doing likewise.

- **The link to negotiations.** Another issue that is likely to concern some or all European states relates to the unilateral nature of the Palestinian initiative. The international community remains committed to the resolution of the Israeli-Palestinian conflict by negotiated agreement, however remote that possibility currently appears. Endorsing the Palestinian recourse to the UN will be seen by many as running counter to that principle. As a result, the United States should be able to convince many EU states to insist, at the very least, that the resolution in the GA include an explicit and robust call for a return to negotiations as a condition for European backing.

- **Parameters on core issues.** It is reasonable to predict that beyond recognition of statehood, Palestinians may also seek GA approval of their positions on core permanent-status issues in dispute with Israel. This is certainly the case with respect to territory, regarding which the resolution may seek endorsement of a border for the Palestinian state based on the 1967 lines. But Palestinian requests may also extend to other core issues, such as refugees and Jerusalem.

Some European states may be tempted to entertain such proposals, especially with respect to borders, on which the EU has long leaned toward the Palestinian position. Indeed, though it is not widely known, the GA annually adopts resolutions with EU support that take positions on core issues. What's more, France, Germany, and the UK recently addressed the issue of borders, refugees, and Jerusalem in a joint statement before the UN Security Council that they may wish to see the GA endorse.

But this time, European states may heed the call to be more cautious. Given the attention that events in September may attract, even symbolic support for Palestinian negotiating positions could be seen as counterproductive. States such as the UK and Germany may well be concerned that a resolution that is overly one-sided on core issues is liable to complicate the return to negotiations, increase Israel's sense of isolation, and empower those in Israel convinced that compromise with the Palestinians is a recipe for sacrificing Israeli strategic interests, rather than advancing them. Indeed, it would be problematic for the resolution to contain language on core issues that came to be seen as new benchmarks for renewing talks, which future Palestinian negotiators could not detract from and future Israeli negotiators could not accept.

Even if the resolution includes reference to territory, it is possible for European states to insist that any such reference be flexible and refer to the need for the parties to negotiate an agreed border. As for the thorny issues of refugees and Jerusalem, EU members may be persuaded that

any reference will just further inflame an already volatile and complex environment.

- **Reference to core Israeli concerns.** The United States could also quietly encourage at least some European states to argue that if they are to contemplate support for a Palestinian initiative at the UN, clear deference must also be shown in the text to key Israeli concerns. In this light, if the resolution is to refer to the border issue, such states could argue that reference should also be made to Israeli security requirements in any future agreement, including, for example, the demilitarization of any future Palestinian state. European states could also condition support for reference to Palestinian statehood on explicit endorsement of the principle that any future agreement should bring an end to all claims and include mutual recognition of the rights of the Jewish and Palestinian peoples to self-determination, each in a state of its own, without prejudice to the rights of all citizens and minority groups. By the same token, concern for some measure of balance in the resolution should compel European states to object to inflammatory or controversial language.

Given the recent Fatah-Hamas agreement, European states may also seek to have any resolution that supports Palestinian statehood make some reference to the need to renounce terrorism, accept existing agreements and commitments, and recognize Israel. As just noted, such an approach would have the added advantage of placing pressure on Hamas to moderate its ideological stance or be seen as irrelevant to Palestinian diplomatic achievements.

- **Operative measures.** An additional issue that may find traction with European states relates to any recommendations for operative measures that the Palestinian resolution may seek to incorporate. Even those European states inclined to support the Palestinian text may be reluctant to vote in favor of a resolution that calls for concrete action against Israel, such as sanctions. Even though such a resolution will be nonbinding on states,

a one-sided text seen as isolating or punishing Israel may be viewed by at least some key European states as decidedly unhelpful or unfair and as weakening the prospect of a negotiated settlement. They may be persuaded to argue that such calls will provide momentum for anti-Israel activists, encourage a combative Israeli response, and complicate any negotiating option.

■ **Conditions external to the resolution.**

The United States and EU may also be able to reach agreement that any European support for the resolution be conditioned on Palestinian assurances regarding actions external to the resolution. One example could be a demand that the Palestinian side refrain from pursuing the International Criminal Court option, given the potentially devastating impact of such a move on Israeli-Palestinian relations. Another example would be a commitment to maintain existing Israeli-Palestinian security cooperation, despite the Fatah-Hamas agreement, and to deny Hamas any influence on Palestinian security services in the West Bank. A third option would be to try to obtain express Palestinian agreement to return to negotiations, without preconditions, in exchange for European support for the UN resolution.

A united European front in response to the Palestinian UN initiative may produce a resolution far less damaging in impact, while allowing the EU to strike a balance between its conflicting sympathies and interests. At the least, it would present Palestinian leaders with a stark choice. They could either settle for less than their declared aim but draw overwhelming support, or they could remain wedded to their opening position but risk a resolution of limited effect that put European states, and others, in the opposition camp.

Whether the United States can help persuade the EU, or key European states, to embrace and stick to some or all of the principles just outlined is, of course, an open question. For the United States, this option does little to alleviate the concern regarding its isolation within the UN. Moreover, the

outcome of this U.S.-encouraged intra-European and Palestinian-European negotiating process may be a resolution that fails to sufficiently dampen the negative impact of a UN vote. Under this approach, it remains unclear whether, regardless of European efforts on the text of the resolution, the headline emerging from New York will not be that the Palestinian initiative was contained, but rather that it managed to attract overwhelming support.

Beyond September

Perhaps the most striking feature of the debate about September is how little attention is being paid to the day after the UN vote. All actors seem preoccupied with succeeding in New York, while apparently neglecting the fact that the recognition issue is but one element in a potentially explosive situation that will persist regardless of the outcome in the General Assembly.

For those who support a negotiated two-state agreement to the Israeli-Palestinian conflict, the present challenge is greater than just another unilateral Palestinian initiative at the UN. It is the product of a confluence of regional and local factors—long in incubation—that risk fundamentally destabilizing the situation and burying the negotiating option for the foreseeable future.

Whether or not Palestine is recognized at the UN, the downward spiral away from peacemaking seems to be intensifying at an alarming pace. Nothing gave more expression to this than the implicit incongruity surrounding President Obama's remarks in May on the Israeli-Palestinian conflict, which seemed to demonstrate why a negotiated agreement was urgent *and* why it was impossible at the same time.

It is in the nature of most governments to prefer tactics to strategy. In this case, one almost feels sympathy for the actors involved given how complex the situation is, how pressing the political constraints are, and how objectively difficult crafting a successful strategic approach will be. But as difficult as the situation now appears, an approach that is limited only to "getting through September" is liable to make things worse.

In fact, for all the focus on September, the

case could clearly be made that the most significant strategic event on the horizon of Israeli-Palestinian relations is not really the UN vote but the possibility of seminal Palestinian elections within the year. Helping ensure those elections take place, and have the prospect of producing a favorable outcome, seems no less worthy a subject of international preoccupation.

It seems fanciful to think that successfully navigating the UN vote will enable this issue to be “parked” until after Palestinian elections, U.S. elections, and, possibly, Israeli elections, when the opportunity for renewing negotiations may improve. Even if the Palestinians’ UN initiative is thwarted, the frustration, deadlock, and zero-sum logic that have fueled it will not evaporate. Indeed, both a definitive Palestinian “victory” and a definitive Palestinian “defeat” at the UN have problematic implications. A September policy must be combined with a post-September policy to have any chance of success. Indeed, it will take as much energy and luck to reasonably manage the post-September situation as it usually does to produce a diplomatic breakthrough.

In determining how to approach the UN initiative and events that follow, some key questions should be used as guidance. What approach best preserves a two-state option and the negotiation paradigm? What approach least emboldens or legitimizes extremist tendencies? How can violence best be minimized? And what conditions are most likely to ensure the conduct of Palestinian elections in a way in which more pragmatic forces may be able to acquire decisionmaking power and

democratic legitimacy? For the United States, some additional strategic questions are posed in terms of which policy options best maintain effective U.S. leadership and best serve the U.S.-Israel relationship, as well as U.S. influence with the PA and regional actors.

Unfortunately, there do not appear to be any easy or clear answers to these questions. There are bad options, and worse options, not good ones. Policymakers may need to face the uncomfortable conclusion that whether efforts to frustrate the Palestinian UN initiative succeed or not, things are likely to get worse before there is even the prospect of them getting better.

Ultimately, as always, the possibility of advancing Israeli-Palestinian peace turns on the wisdom and courage of Israelis and Palestinians themselves, and their leaders in particular. The United States, and other actors, in deciding how best to respond to or help shape events in this arena, should not be driven by frustration at the actual or perceived intransigence of either side. Nor should Washington divorce its response to individual events from the wider bilateral and regional dynamic.

The policy choices that will need to be taken to address the “September dilemma” and the challenges that follow—regardless of the outcome—must depend on what course of action is most likely to empower those willing and able to decisively advance the two-state vision and contribute to a more stable, secure, and peaceful Middle East. As bleak as the Israeli-Palestinian predicament appears at the moment, using this principle as a touchstone seems to be the only path out of it.

