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1ST SESSION

S. RES. 185

Reaffirming the commitment of the United States to a negotiated settlement of the Israeli-Palestinian conflict through direct Israeli-Palestinian negotiations, reaffirming opposition to the inclusion of Hamas in a unity government unless it is willing to accept peace with Israel and renounce violence, and declaring that Palestinian efforts to gain recognition of a state outside direct negotiations demonstrates absence of a good faith commitment to peace negotiations, and will have implications for continued United States aid.

IN THE SENATE OF THE UNITED STATES

MAY 16, 2011

Mr. CARDIN (for himself, Ms. COLLINS, Mr. THUNE, Mr. MENENDEZ, Mr. CASEY, and Mr. RISCH) submitted the following resolution; which was referred to the Committee on Foreign Relations

RESOLUTION

Reaffirming the commitment of the United States to a negotiated settlement of the Israeli-Palestinian conflict through direct Israeli-Palestinian negotiations, reaffirming opposition to the inclusion of Hamas in a unity government unless it is willing to accept peace with Israel and renounce violence, and declaring that Palestinian efforts to gain recognition of a state outside direct negotiations demonstrates absence of a good faith commitment to peace negotiations, and will have implications for continued United States aid.

Whereas the policy of the United States since 2002 has been to support a two-state solution to the Palestinian-Israeli conflict;

Whereas a true and lasting peace between the people of Israel and the Palestinians can only be achieved through direct negotiations between the parties;

Whereas Palestine Liberation Organization Chair Yassir Arafat wrote to Israeli Prime Minister Yitzhak Rabin on September 9, 1993, that “all outstanding issues relating to permanent status will be resolved through negotiations”;

Whereas the reconciliation agreement signed by Fatah and Hamas on May 4, 2011, was reached without Hamas being required to renounce violence, accept Israel’s right to exist, and accept prior agreements made by the Palestinians (the “Quartet conditions”);

Whereas Hamas, an organization responsible for the death of more than 500 innocent civilians, including two dozen United States citizens, has been designated by the United States Government as a foreign terrorist organization and a specially designated terrorist organization;

Whereas Hamas kidnapped and has held captive Israeli sergeant Gilad Shalit in violation of international norms since June 25, 2006;

Whereas Hamas continues to forcefully reject the possibility of negotiations or peace with Israel;

Whereas, by contrast, Prime Minister of Israel Benjamin Netanyahu has accepted a two-state solution to the Israeli-Palestinian conflict;

Whereas, on April 22, 2009, Secretary of State Hillary Clinton stated, “We will not deal with nor in any way fund

a Palestinian government that includes Hamas unless and until Hamas has renounced violence, recognized Israel and agreed to follow the previous obligations of the Palestinian Authority.”;

Whereas the United States, under two different Presidents, has vetoed 11 United Nations Security Council resolutions in the last 15 years related to the Palestinian-Israeli conflict and its outstanding issues;

Whereas United States Permanent Representative to the United Nations Susan Rice stated on February 18, 2011, that it was “unwise” for the United Nations to attempt to resolve key issues between the Israelis and Palestinians;

Whereas Palestinian leaders are pursuing a coordinated strategy to seek recognition of a Palestinian state within the United Nations, in other international forums, and from foreign governments;

Whereas, on March 11, 1999, the Senate adopted Senate Concurrent Resolution 5 (106th Congress), and on March 16, 1999, the House of Representatives adopted House Concurrent Resolution 24 (106th Congress), both of which resolved that “any attempt to establish Palestinian statehood outside the negotiating process will invoke the strongest congressional opposition”;

Whereas current United States law precludes assistance to a Palestinian Authority that shares power with Hamas unless that Authority publicly accepts the right of Israel to exist and adheres to all prior agreements and understandings with the Governments of the United States and Israel;

Whereas the United States Government provides more than \$550,000,000 annually and more than \$3,500,000,000 cumulatively in direct bilateral assistance to the Palestinians, who are among the world's largest recipients of foreign aid per capita;

Whereas aid to the Palestinians is predicated on a good faith commitment from the Palestinians to the peace process;

Whereas abandonment by Palestinian leaders of the Quartet conditions and inclusion of Hamas in a government could jeopardize the positive steps the Palestinian Authority has taken in building institutions and improving security in the West Bank in recent years; and

Whereas efforts to form a unity government without accepting the Quartet conditions, to bypass negotiations and unilaterally declare a Palestinian state, or to appeal to the United Nations or other international forums or to foreign governments for recognition of a Palestinian state would violate the underlying principles of the Oslo Accords, the Road Map, and other relevant Middle East peace process efforts: Now, therefore, be it

1 *Resolved*, That the Senate—

2 (1) reaffirms its strong support for a negotiated
3 solution to the Israeli-Palestinian conflict resulting
4 in two states, a democratic, Jewish state of Israel
5 and a viable, democratic Palestinian state, living
6 side-by-side in peace, security, and mutual recogni-
7 tion;

8 (2) states its firm belief that any Palestinian
9 unity government must publicly and formally for-

1 swear terrorism, accept Israel’s right to exist, and
2 reaffirm previous agreements made with the Govern-
3 ment of Israel;

4 (3) reiterates its strong opposition to any at-
5 tempt to establish or seek recognition of a Pales-
6 tinian state outside of an agreement negotiated be-
7 tween leaders in Israel and the Palestinians;

8 (4) urges Palestinian leaders—

9 (A) to ensure that any Palestinian govern-
10 ment will seek peace with Israel;

11 (B) to cease all efforts at circumventing
12 the negotiation process, including through a
13 unilateral declaration of statehood or quests for
14 recognition of a Palestinian state from other
15 nations or the United Nations;

16 (C) to resume direct negotiations with the
17 Government of Israel immediately and without
18 preconditions; and

19 (D) to take appropriate measures to
20 counter incitement to violence and fulfill all
21 prior Palestinian commitments, including dis-
22 mantling the terrorist infrastructure embodied
23 in Hamas;

24 (5) supports the opposition of the President to
25 a unilateral declaration of a Palestinian state and

1 the veto by the United States on February 18, 2011,
2 of the most recent United Nations Security Council
3 resolution regarding a key issue of the Israeli-Pales-
4 tinian process;

5 (6) calls upon the President to announce that
6 the United States will veto any resolution on Pales-
7 tinian statehood that comes before the United Na-
8 tions Security Council which is not a result of agree-
9 ments reached between the Government of Israel
10 and the Palestinians;

11 (7) calls upon the President to lead a diplo-
12 matic effort to oppose a unilateral declaration of a
13 Palestinian state and to oppose recognition of a Pal-
14 estinian state by other nations, within the United
15 Nations, and in other international forums prior to
16 achievement of a final agreement between the Gov-
17 ernment of Israel and the Palestinians;

18 (8) will consider restrictions on aid to the Pal-
19 estinian Authority should it persist in efforts to cir-
20 cumvent direct negotiations by turning to the United
21 Nations or other international bodies;

22 (9) supports the position taken by Secretary of
23 State Hillary Clinton on April 22, 2009, that the
24 United States “will not deal with or in any way fund
25 a Palestinian government that includes Hamas un-

1 less and until Hamas has renounced violence, recog-
2 nized Israel and agreed to follow the previous obliga-
3 tions of the Palestinian Authority”;

4 (10) urges the President to consider suspending
5 assistance to the Palestinian Authority pending a re-
6 view of the unity agreement between Fatah and
7 Hamas; and

8 (11) reaffirms the requirement under United
9 States law precluding assistance to a Palestinian
10 Authority that shares power with Hamas unless that
11 Authority and all its ministers publicly accept the
12 right of Israel to exist and all prior agreements and
13 understandings with the Governments of the United
14 States and Israel.

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