

UN Vote on Palestine

By [Stephen Lendman](#)

Global Research, December 01, 2012

Region: [Middle East & North Africa](#)

Theme: [United Nations](#)

In-depth Report: [PALESTINE](#)

[Haaretz](#) said Israel suffered a humiliating defeat in New York. So did truth about what actually happened, what it means, and what's likely going forward. More on that below.

Thursday's vote expressed overwhelming support. UN Member States number 193. Five didn't vote. Of those that did, 138 said yes, nine voted no, and 41 abstained.

Countries voting no included America, Israel, Canada, the Czech Republic, Panama, and four small Pacific island states: Marshall Islands, Micronesia, Nauru and Palau. They're in lockstep with all US/Israeli policies. They spurn Palestinian rights.

Countries abstaining included Britain (after expressing support) Germany, Australia, Colombia, South Korea, Haiti (under US-installed puppet Michel Martelly), Singapore, Rwanda (under US puppet Paul Kagame), the Netherlands, Paraguay (under coup d' etat puppet Federico Franco), Poland, Hungary, and 29 others.

Netanyahu was typically arrogant. Palestine "must be prepared to end the conflict with Israel once and for all....No decision by the UN (changes) the rights of the Jewish people in this land."

Blaming the victim continues. Palestine for Jews alone reflects official Israeli policy.

Obama strongly opposed upgrading Palestine's status. He affords Israel one-sided support. No rights for Palestinians is official US policy.

Hillary Clinton reflects bullying, bluster and imperial arrogance. She blasted the UN vote. "Unfortunate and counterproductive," she called it. In other words, any support for Palestine can't be tolerated.

UN ambassador Susan Rice gives diplomacy a bad name. She's an embarrassment to legitimate governance. She's one of America's worst ever envoys.

She mirrors Clinton. Her style is belligerent, arrogant, and offensive. She has major unexplained [conflicts of interest](#).

Her 2011 financial disclosures show she "and her husband own at least \$1.25 million worth of stock in four of Canada's eight leading oil producers."

She has up to \$600,000 equity in TransCanada Corp. It's building the environmentally destructive Keystone XL pipeline.

Her holdings also include up to \$11.25 million in Royal Bank of Canada, as well as lesser

equity in other Canadian financial institutions funding XL.

She's perhaps frontrunner to replace Hillary Clinton next year as Secretary of State. She has lots of explaining to do.

"Today's vote" [she said](#), "should not be misconstrued by any as constituting eligibility for UN membership. It does not. This resolution does not establish that Palestine is a state."

Palestine was eligible for full de jure UN membership many years ago. Palestine already is a state. The UN vote upgraded its status. It didn't go far enough.

Headlines misreported what happened. Analysts who know better got it wrong. Many incorrectly called the vote support for Palestinian statehood.

It was about upgrading Palestine to nonmember observer status. More on rights afforded with it below.

Previous articles explained Palestinian statehood. Key facts bear repeating.

The State of Palestine exists. It was proclaimed in Algiers on November 15, 1988. At the time, the PLO adopted the Palestinian Declaration of Independence.

PLO legal advisor Francis Boyle drafted it. He called it "determinative, definitive, and irreversible." It recognized the General Assembly's 1947 Partition Plan in good faith. It also declared:

- its commitment to the UN Charter's purpose and principles;
- the Universal Declaration of Human Rights (UDHR), policy, and principles of nonalignment;
- its natural right to defend the Palestinian state, while rejecting "the threat or use of force, violence and intimidation against its territorial integrity and political independence or those of any other state;"
- its willingness to accept UN supervision on an interim basis to terminate Israel's occupation;
- its call for a Middle East International Peace Conference based on UN Resolutions 242 and 338;
- its asking for Israel's withdrawal from occupied Palestinian lands - since 1967, including East Jerusalem;
- its willingness to accept a voluntary confederation between Jordan and Palestine;
- its "rejection of terrorism in all forms, including state terrorism...;" and
- its acceptance of UN Charter Article 51, the four 1949 Geneva Conventions, and

the 1907 Hague Regulations on Land Warfare.

Boyle included safeguards to assure all sovereign state rights. His document left no wiggle room loopholes. He also made sure UN membership won't comprise them.

Palestine satisfies all essential criteria for sovereign independence and full de jure UN membership.

All UN Charter states (including America and Israel) provisionally recognized Palestinian independence in accordance with UN Charter article 80(1) and League Covenant article 22(4).

As the League's successor, the General Assembly has exclusive legal authority to designate the PLO Palestine's legitimate representative.

The Palestine National Council (PNC) is the PLO's legislative body. It's empowered to proclaim the existence of Palestine. According to the binding 1925 Palestine Citizenship Order in Council, Palestinians, their children and grandchildren automatically become citizens.

So do diaspora Palestinians. Those living in Israel and Jordan have dual nationalities. Occupied Territory residents remain "protected persons" (under Fourth Geneva) until a final peace settlement is reached.

Boyle's "CREATE THE STATE OF PALESTINE" Memorandum of Law described characteristics needed for world community recognition. They include:

A determinable (not necessarily fixed) territory. Its borders are negotiable. The new state is comprised of Gaza, the West Bank and East Jerusalem. Palestinians have lived there for millennia. They rightfully deserve universally recognized sovereignty.

They have a fixed population. They're a legitimate state with a functioning government. It's peace loving. It accepts UN Charter provisions and can administer them. It's willing to do so.

In 1988, Arafat declared the PLO Palestine's Provisional Government. It has the capacity to enter into relations with other states.

Palestine fully qualifies on all counts. It did so many years ago. It long ago should have become a full de jure UN member. PA leaders must explain why not. Why not now? Why partial, not full status?

Palestine's Proclamation of Independence created the Government of Palestine (GOP). UN approval requires qualifying based on five conditions.

Applicants must be a state, peace loving, accept UN Charter's provisions, be able to administer them, and be willing to do so.

The Security Council only recommends new Member States. Petitioning the 1950 Uniting for Peace Resolution 377 for an up or down two-thirds vote overrides potential SC rejection.

The General Assembly has sole admission authority. Thursday's vote required a majority of voting Member States. Full de jure membership requires a two-thirds vote.

It's easily gotten. It's long overdue. Legitimate states are entitled to full de jure UN membership. Palestinians are denied it.

Thursday represented a small victory. If used, it affords Palestine significant rights. Someone other than Abbas will have to invoke them. He's a longtime Israeli collaborator.

He's Israel's enforcer. For many years, he betrayed his people. He's nearing retirement. He'll do nothing to mess things up.

Boyle explains rights Palestinians now have. If used, they're considerable.

"Palestine can join the Rome Statute for the International Criminal Court (ICC)."

Israeli officials can be sued for crimes of war, against humanity and genocide. Illegal settlements, outposts, Gaza's siege, the Separation Wall, and other lawless practices can be challenged.

"Palestine can join the Statute for the International Court of Justice (ICJ)." The State of Israel can be sued on the above charges and others.

"Palestine can join the Law of the Sea Convention." Doing so establishes sovereignty over its territorial waters. They contain significant gas reserves.

Estimates range up to a trillion cubic feet or more. Where there's gas, there's oil. Offshore resources belong to Palestine, not Israel.

"Palestine can become a High Contracting Party to the Four Geneva Conventions." They deal with laws of war and accountability.

"Palestine can join the International Civil Aviation Organization." Doing so affords control of its own airspace.

"Palestine can join the International Telecommunications Union." With it comes sovereign control over its airwaves, phone lines, and bandwidth.

Sovereign states have many rights. Palestine's new status affords all of the above. They don't matter if not invoked.

Expect little from Abbas going forward. Long denied Palestinians deserve much better. Liberation remains an unfulfilled dream.

Stephen Lendman lives in Chicago and can be reached at lendmanstephen@sbcglobal.net.

His new book is titled "How Wall Street Fleeces America: Privatized Banking, Government Collusion and Class War"

<http://www.claritypress.com/Lendman.html>

Visit his blog site at sjlendman.blogspot.com and listen to cutting-edge discussions with distinguished guests on the Progressive Radio News Hour on the Progressive Radio Network Thursdays at 10AM US Central time and Saturdays and Sundays at noon. All programs are

archived for easy listening.

<http://www.progressiveradionetwork.com/the-progressive-news-hour>

The original source of this article is Global Research
Copyright © [Stephen Lendman](#), Global Research, 2012

[Comment on Global Research Articles on our Facebook page](#)

[Become a Member of Global Research](#)

Articles by: [Stephen Lendman](#)

About the author:

Stephen Lendman lives in Chicago. He can be reached at lendmanstephen@sbcglobal.net. His new book as editor and contributor is titled "Flashpoint in Ukraine: US Drive for Hegemony Risks WW III."

<http://www.claritypress.com/LendmanIII.html> Visit his blog site at sjlendman.blogspot.com. Listen to cutting-edge discussions with distinguished guests on the Progressive Radio News Hour on the Progressive Radio Network. It airs three times weekly: live on Sundays at 1PM Central time plus two prerecorded archived programs.

Disclaimer: The contents of this article are of sole responsibility of the author(s). The Centre for Research on Globalization will not be responsible for any inaccurate or incorrect statement in this article. The Centre of Research on Globalization grants permission to cross-post Global Research articles on community internet sites as long the source and copyright are acknowledged together with a hyperlink to the original Global Research article. For publication of Global Research articles in print or other forms including commercial internet sites, contact: publications@globalresearch.ca
www.globalresearch.ca contains copyrighted material the use of which has not always been specifically authorized by the copyright owner. We are making such material available to our readers under the provisions of "fair use" in an effort to advance a better understanding of political, economic and social issues. The material on this site is distributed without profit to those who have expressed a prior interest in receiving it for research and educational purposes. If you wish to use copyrighted material for purposes other than "fair use" you must request permission from the copyright owner.

For media inquiries: publications@globalresearch.ca