

## Israel Economic Sanctions – Resolution 1/03/17 – Supporting Documentation

### Third WHEREAS Clause (Lines 9-11) – Fourth Geneva Convention

The Fourth Geneva Convention (August 12, 1949), Part III, Section III (Occupied Territories), Article 49, Paragraph 1 states: “Individual or mass forcible transfers, as well as deportations of protected persons from occupied territory to the territory of the Occupying Power or to that of any other country, occupied or not, are prohibited, regardless of their motive.” Furthermore, Paragraph 6 states: “The Occupying Power shall not deport or transfer parts of its own civilian population into the territory it occupies.” The entire text of the Fourth Geneva Convention is available at the website of the National Security Archives at: <http://nsarchive.gwu.edu/NSAEBB/NSAEBB140/a24.pdf>

The Wikipedia article *International law and Israeli settlements* states “The [international community](#) considers the establishment of [Israeli settlements](#) in the [Israeli-occupied territories](#) illegal under international law, because the [Fourth Geneva Convention](#) of 1949 prohibits countries from moving population into territories occupied in a war.<sup>[1][2][3][4][5]</sup> [Israel](#) maintains that they are consistent with international law<sup>[6]</sup> because it does not agree that the Fourth Geneva Convention applies to the territories occupied in the 1967 [Six-Day War](#).<sup>[7]</sup> The [United Nations Security Council](#), the [United Nations General Assembly](#), the [International Committee of the Red Cross](#), the [International Court of Justice](#) and the [High Contracting Parties](#) to the Convention have all affirmed that the Fourth Geneva Convention does apply.<sup>[8][9]</sup>

The Wikipedia article goes on to say “Numerous UN resolutions have stated that the building and existence of Israeli settlements in the [West Bank](#), [East Jerusalem](#) and the [Golan Heights](#) are a violation of international law, including UN Security Council resolutions in 1979, 1980,<sup>[10][11][12]</sup> and 2016.<sup>[13][14]</sup> [UN Security Council Resolution 446](#) refers to the [Fourth Geneva Convention](#) as the applicable international legal instrument, and calls upon Israel to desist from transferring its own population into the territories or changing their demographic makeup.”

See the entire Wikipedia article at:

[https://en.wikipedia.org/wiki/International\\_law\\_and\\_Israeli\\_settlements#Article\\_49](https://en.wikipedia.org/wiki/International_law_and_Israeli_settlements#Article_49),

The December 10, 2009 BBC News article *The Geneva Convention* confirms the above Wikipedia article and adds “Israel is a party to the Geneva Conventions, and bound by its obligations.” Read this article at: [http://news.bbc.co.uk/2/hi/middle\\_east/1682640.stm](http://news.bbc.co.uk/2/hi/middle_east/1682640.stm)

The International Committee of the Red Cross lists all the signatories of the Fourth Geneva Convention at their website: [https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/States.xsp?xp\\_viewStates=XPages\\_NORMStatesParties&xp\\_treaty\\_Selected=380](https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/States.xsp?xp_viewStates=XPages_NORMStatesParties&xp_treaty_Selected=380)

### Fifth WHEREAS Clause (Lines 17-20) – UN Resolutions re Israel & Palestine

- UN Security Council Resolution 242, adopted unanimously:  
<https://unispal.un.org/DPA/DPR/unispal.nsf/0/7D35E1F729DF491C85256EE700686136>

- UN Security Council Resolution 338, adopted without opposition:  
<https://unispal.un.org/DPA/DPR/unispal.nsf/0/7FB7C26FCBE80A31852560C50065F878>
- UN Security Council Resolution 446, adopted without opposition:  
<https://unispal.un.org/DPA/DPR/unispal.nsf/0/BA123CEDED3EA84A5852560E50077C2DC>
- UN Security Council Resolution 465, adopted unanimously:  
<https://unispal.un.org/DPA/DPR/unispal.nsf/0/5AA254A1C8F8B1CB852560E50075D7D5>
- UN Security Council Resolution 1515, adopted unanimously:  
<http://www.un.org/press/en/2003/sc7924.doc.htm>
- UN Security Council Resolution 2334, adopted without opposition:
  - ◆ <https://www.un.org/press/en/2016/sc12657.doc.htm>
  - ◆ <http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/SRES2334.pdf>

These UN Security Council resolutions are among the most significant dealing with Israeli occupation of Palestinian territory and the United States either voted for the resolutions or abstained. As you can see, the Obama administration's abstention from voting on Resolution 2334 is nothing new and is consistent with what has been U.S. policy for almost 50 years. What was new was the reaction in the U.S. Congress. The House of Representatives adopted H.Res.11 (<https://www.congress.gov/bill/115th-congress/house-resolution/11/text>) with a roll call vote of 342 to 80 critical of the UN resolution. In the Senate, S.Res.6 (<https://www.congress.gov/bill/115th-congress/senate-resolution/6/actions>) objecting to UN Resolution 2334 has 78 co-sponsors and has been placed on the Legislative Calendar. The House and Senate actions are contrary to accepted U.S. policy under the last 9 presidents from 1967 to 2016.