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[Why Democrats Don't Want To Talk About Flynn's First Meeting With The Russians](#)

The [guilty plea](#) by former National Security Advisor Michael Flynn for lying to FBI investigators centers around two meetings with then-Russian ambassador Sergey Kislyak. One of those meetings—a December 29, 2016, gathering to discuss new sanctions by the Obama Administration over Russian interference in the presidential election—has received much attention.

But Democrats have been reluctant to call attention to another meeting held one week earlier, in which Flynn encouraged the Russians to postpone a scheduled vote at the United Nations until Trump came to office. Having a top advisor of a president-elect clandestinely meet with a representative of a foreign power to undermine the policies of a sitting administration is highly problematic, if not [illegal](#). While this might have otherwise given the Democrats a welcome political opportunity to underscore the perfidy of the Trump team, they are hindered by the fact that the majority of Congressional Democrats opposed Obama and supported Trump's position on the vote.

On December 23, 2016, the United Nations Security Council had been scheduled to vote on a [resolution](#) that called on both the Israeli and Palestinian governments to prevent violence against civilians, condemn and combat terrorism, refrain from inciting violence, and comply with their obligations under international law. It called specifically for Israel to “immediately and completely” cease all settlement activities in occupied Palestinian territory. The resolution reiterated four previous U.N. Security Council resolutions underscoring the illegality, under the Fourth Geneva Convention, of any occupying power settling civilians into territories seized by military force.

The official U.S. State Department [position](#), adopted in 1978, confirms that “the establishment of the civilian settlements in those territories is inconsistent with international law.” The illegality of the settlements was reiterated in a [landmark 2004 decision](#) by the International Court of Justice. In that ruling, the World Court enjoined the United States and other signatories of the Fourth Geneva Convention to “ensure compliance by Israel with international humanitarian law.”

Despite this, on December 23, the United States was the only member of the fifteen-member Security Council to not support the resolution, [voting](#) instead to abstain.

This move was not radical enough for President-elect Donald Trump, who insisted that the Obama Administration should have vetoed the resolution. Trump [declared](#) on Facebook that failure to block the resolution was “anti-Israel” and “extremely unfair to all Israelis.”

He was not alone in opposing Obama's failure to veto the resolution. Less than two weeks later, in the first foreign policy vote of the newly convened 115th Congress, a majority of House Democrats joined virtually every Republican in voting for a [resolution](#) that criticized the U.S. refusal to veto. It declared U.N. opposition to Israel's illegal colonization efforts as being “anti-Israel.”

In the Senate, 30 out of 46 Democrats signed on as co-sponsors of a [similar bill](#).

It might have been a welcome opportunity to underscore the perfidy of Trump's team—if not for the fact that most Democrats supported his goal.

The decision by the majority of Congressional Democrats to side with Trump over a sitting Democratic president is striking, particularly since moderate pro-Israel groups including [J Street](#) and [Americans for Peace Now](#) supported Obama's decision not to use U.S. veto power. Like many Israelis, they have long argued that unfettered expansion of settlements will make the establishment of a viable contiguous Palestinian state alongside Israel impossible—and therefore eventually force Israel to choose between being a democracy or a Jewish state. The two [Congressional resolutions](#) claimed that the Obama Administration had departed from “long-standing policy” by not vetoing the U.N. resolution—although in fact the United States supported or abstained on more than 50 Security Council resolutions critical of Israeli actions since its 1967 conquest of the West Bank.

Polls show that [a majority of Democrats](#) would support imposing sanctions or even more strenuous measures against Israel to stop the expansion of illegal settlements, but the Obama Administration made clear that it would veto any resolution that had any enforcement provisions. Even so, the House resolution [insists](#) that the U.N. resolution unfairly “imposes” terms for final status negotiations on the parties, and even “contradicts the Oslo Accords.”

But Congress has never indicated that the settlements themselves violate the [Oslo Accords](#), which prohibit both parties from taking any steps which “change the status of the West Bank . . . pending the outcome of the permanent status negotiations.” The agreement also stipulates that the West Bank should be considered a “single territorial unit,” which presumably means it should not be divided up into non-contiguous cantons due to Israeli settlements.

In short, Congressional Democrats agreed with Trump that letting Israel's right-wing leader Benjamin Netanyahu illegally establish settlements on occupied Palestinian territory doesn't violate the Oslo Accords, but President Obama's decision to abstain on a U.N. resolution opposing these illegal settlements does.

Past Republican and Democratic administrations, recognizing that the settlements make establishing a viable contiguous Palestinian state impossible, have opposed expansion on the grounds that it's “an obstacle to peace.” The U.S.-backed peace plans put forward by former CIA director [George Tenet](#) and the [Mitchell Commission](#) called for a freeze on Israeli settlement activities, as did the much-vaunted “[Road Map for Peace](#),” which both the Bush and Obama administrations repeatedly stressed was necessary to resolve the conflict.

The refusal of successive Israeli governments to stop building illegal settlements led to the U.N. resolution that Obama allowed to pass. It was this resolution that Flynn clumsily tried to get the Russians to postpone so Trump could veto it. Given that most Democrats went on record supporting the goal of Flynn's meeting, it's no wonder they don't want to talk it.

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Israeli settlements in the West Bank

