

106TH CONGRESS
1ST SESSION

S. CON. RES. 36

Condemning Palestinian efforts to revive the original Palestine partition plan of November 29, 1947, and condemning the United Nations Commission on Human Rights for its April 27, 1999, resolution endorsing Palestinian self-determination on the basis of the original Palestine partition plan.

IN THE SENATE OF THE UNITED STATES

MAY 27, 1999

Mr. SCHUMER (for himself, Mr. MOYNIHAN, Mr. BROWNBACK, Mr. MACK, and Mr. LIEBERMAN) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations

CONCURRENT RESOLUTION

Condemning Palestinian efforts to revive the original Palestine partition plan of November 29, 1947, and condemning the United Nations Commission on Human Rights for its April 27, 1999, resolution endorsing Palestinian self-determination on the basis of the original Palestine partition plan.

Whereas United Nations General Assembly Resolution 181, which called for the partition of the British-ruled Palestine Mandate into a Jewish state and an Arab state, was declared null and void on November 29, 1947, by the Arab states and the Palestinians, who included the rejection of Resolution 181 as a formal justification for the

May, 1948, invasion of the newly declared State of Israel by the armies of five Arab states;

Whereas the armistice agreements between Israel and Egypt, Lebanon, Syria, and Transjordan in 1949 made no mention of United Nations General Assembly Resolution 181, and the United Nations Security Council made no reference to United Nations General Assembly Resolution 181 in its Resolution 73 of August 11, 1949, which endorsed the armistice;

Whereas in 1967 and 1973 the United Nations adopted Security Council Resolutions 242 and 338, respectively, which call for the withdrawal of Israel from territory occupied in 1967 and 1973 in exchange for the creation of secure and recognized boundaries for Israel and for political recognition of Israel's sovereignty;

Whereas Security Council Resolutions 242 and 338 have served as the framework for all negotiations between Israel, Palestinian representatives, and Arab states for 30 years, including the 1991 Madrid Peace Conference and the ongoing Oslo peace process, and serve as the agreed basis for impending Final Status Negotiations;

Whereas senior Palestinian officials have recently resurrected United Nations General Assembly Resolution 181 through official statements and a March 25, 1999, letter from the Palestine Liberation Organization Permanent Observer to the United Nations Secretary-General contending that the State of Israel must withdraw to the borders outlined in United Nations General Assembly Resolution 181, and accept Jerusalem as a "corpus separatum" to be placed under United Nations control as outlined in United Nations General Assembly Resolution 181; and

Whereas in its April 27, 1999, resolution, the United Nations Commission on Human Rights asserted that Israeli-Palestinian peace negotiations be based on United Nations General Assembly Resolution 181: Now, therefore, be it

1 *Resolved by the Senate (the House of Representatives*
 2 *concurring)*, That the Congress—

3 (1) condemns Palestinian efforts to circumvent
 4 United Nations Security Council Resolutions 242
 5 and 338, as well as violate the Oslo peace process,
 6 by attempting to revive United Nations General As-
 7 sembly Resolution 181, thereby placing the entire
 8 Israeli-Palestinian peace process at risk;

9 (2) condemns the United Nations Commission
 10 on Human Rights for voting to formally endorse
 11 United Nations General Assembly Resolution 181 as
 12 the basis for the future of Palestinian self-deter-
 13 mination;

14 (3) reiterates that any just and final peace
 15 agreement regarding the final status of the territory
 16 controlled by the Palestinians can only be deter-
 17 mined through direct negotiations and agreement be-
 18 tween the State of Israel and the Palestinian Libera-
 19 tion Organization;

20 (4) reiterates its continued unequivocal support
 21 for the security and well-being of the State of Israel,

1 and of the Oslo peace process based on United Na-
2 tions Security Council Resolutions 242 and 338; and
3 (5) calls for the President of the United States
4 to declare that—

5 (A) it is the policy of the United States
6 that United Nations General Assembly Resolu-
7 tion 181 of 1947 is null and void;

8 (B) all negotiations between Israel and the
9 Palestinians must be based on United Nations
10 Security Council Resolutions 242 and 338; and

11 (C) the United States regards any attempt
12 by the Palestinians, the United Nations, or any
13 entity to resurrect United Nations General As-
14 sembly Resolution 181 as a basis for negotia-
15 tions, or for any international decision, as an
16 attempt to sabotage the prospects for a success-
17 ful peace agreement in the Middle East.

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