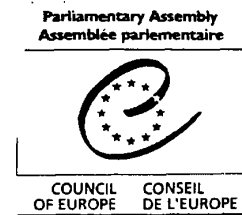


## Parliamentary Assembly Assemblée parlementaire



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### Prospects for peace in the Middle East

Report  
Political Affairs Committee  
Rapporteur: Mr Mikhail Margelov, Russian Federation, European Democrat Group

#### *Summary*

The election of Mr Mahmoud Abbas to the presidency of the Palestinian Authority has opened a window of opportunity for a renewal of dialogue between Palestinians and Israelis. The momentum must not be lost and the contacts should resume immediately with a view to making headway towards a meaningful negotiation process. The international community should actively contribute to the resumption of the dialogue between both parties to the conflict.

The Parliamentary Assembly stresses that the Roadmap continues to be a valid reference for the peace negotiations and a two-state solution remains the only realistic political settlement to the conflict.

The Assembly calls on both sides to declare a ceasefire without delay. Furthermore, it calls on the Palestinian leadership to continue efforts to curb terrorism and on the Israeli Government to halt the military operations and extrajudicial executions of militants of Palestinian extremist organisations.

**I. Draft Resolution**

1. The Parliamentary Assembly welcomes the election of Mr Mahmoud Abbas to the presidency of the Palestinian Authority. This election opens a new window of opportunity for a dialogue and renewal of a peace process in the Middle East.
2. The contacts between all parties concerned must be resumed immediately in order to take full advantage of the momentum resulting from the outcome of the election. The international community should actively contribute to the resumption of contacts between both parties. The United Nations, the United States, the European Union and Russia should assume their responsibilities in line with their international positions and aspirations and be much more actively involved in the negotiation process.
3. The Roadmap continues to be a valid reference for the peace negotiations and a two-state solution remains the only realistic political settlement of the conflict.
4. The political solution can only be achieved through an end to violence and terrorism. A ceasefire on both sides should be declared without delay. The Palestinian leadership should receive all possible support in its continued efforts to curb terrorism. The Assembly condemns, without reservation, all violence on both sides and in particular attacks against the civilian population.
5. It is essential that the democratic process within the Palestinian Authority continues. The international community should offer every assistance and support to the Palestinian leadership in carrying out this difficult task.
6. The Assembly strongly urges the Israeli and Palestinian sides to:
  - i. declare a ceasefire without further delay;
  - ii. immediately resume contacts and engage in a meaningful peaceful process and negotiations;
  - iii. co-operate with international mediators.
7. The Assembly calls on the Government of Israel to:
  - i. halt the military operations and extrajudicial executions of militants of Palestinian extremist organisations;
  - ii. consider the withdrawal of military forces and settlers from Gaza as a part of the peace process in co-operation with the Palestinian side and not as an isolated step;
  - iii. review its position concerning the construction of the security wall taking into account the decision of the International Court of Justice;
  - iv. put an end to the construction and expansion of the illegal settlements without any further delay.
8. The Assembly calls on the Palestinian leaders and in particular President Abbas to:
  - i. make full use of their authority and powers to halt attacks against the Israelis;
  - ii. take all appropriate measures to dismantle terrorist organisations;
  - iii. pursue democratic reforms.
9. The Assembly calls on the European Union and Russia to assume their responsibility and play a much more active role in the peace process.

10. The Assembly calls on the United States Government, in accordance with the United Nations Charter and in consultation with its European partners, to use its influence in order to achieve a just peace between Israel and the Palestinian Authority, as an indispensable part of a wider democratic process and prosperity in the Middle East.

11. The Assembly remains convinced that the involvement of the international community could play a decisive role in the successful settlement of the conflict. In this respect, contacts at parliamentary level would be of great importance.

12. The Parliamentary Assembly resolves to facilitate contacts between parliamentarians from the Knesset and the Palestinian Legislative Council and in particular instructs its relevant committees as well as its Secretary General to step up co-operation with their counterparts in both parliaments by organising joint meetings, conferences and training programmes. Furthermore, the Parliamentary Assembly expresses its readiness to observe the forthcoming elections to the Palestinian Legislative Council.

13. The Parliamentary Assembly invites the Political Affairs Committee to consider the possibility of using its sub-committee on the Middle East as a tripartite forum allowing parliamentarians from the Knesset, the Palestinian Legislative Council and the Parliamentary Assembly to sit together on an equal footing with a right to speak and make proposals for the sub-committee's agenda and actions.

14. The Assembly calls on the Venice Commission to provide the Palestinian leaders with expertise within areas of their competence, in particular in regard to the conformity of the Palestinian legislation with international standards.

15. The Assembly calls on the Congress of Local and Regional Authorities of the Council of Europe to consider possible co-operation with local authorities in the region, in particular with a view to twinning towns.

## II. Explanatory Memorandum

### I. Introduction

1. Since the last report on the conflict in the Middle East presented in the Parliamentary Assembly in June 2002, the situation has evolved considerably. The death of President Jasser Arafat on 11 November 2004, and the election of Mr Mahmoud Abbas as President of the Palestinian Authority on 9 January 2005, opened a window of opportunity for the renewal of the peace process frozen for over a year. The momentum should not be lost. If the dialogue is not resumed immediately, this unique opportunity for a breakthrough in the negotiations may disappear.

2. The international community should not miss any occasion to influence the parties concerned to become involved in a meaningful negotiating process. Therefore, the Rapporteur considers the idea of holding a debate under urgent procedure on the Prospects for peace in the Middle East as timely and justified, and hopes that it will contribute to the restoration of a dialogue between the Israeli and Palestinian leaders.

### II. Main developments in the Israeli-Palestinian conflict since 2002

3. Following the break-down of the Camp David talks in 2000 and the outbreak of a second *intifada*, the deadlock in negotiations and intensified violence on both sides prevailed until early 2003, when a new international initiative under the auspices of the so-called Quartet, namely the United States, Russia, the European Union and the United Nations, resulted in the elaboration of a peace plan known as the Roadmap.

4. The Roadmap was designed as a goal-driven, phase-by-phase process, with target dates for concrete measures to be taken by both parties of the conflict in different areas: security, political, economic, humanitarian and institution building fields. The final goal was a comprehensive settlement of the Israeli-Palestinian conflict by 2005. Regular meetings of senior representatives of the four parties of the Quartet were meant to evaluate the parties' performance on implementation of the plan.

5. Despite the efforts of the international community, the Roadmap has failed since its launch to take off. On the one hand, the Palestinian militant groups continued suicide bombings, despite a declared cease-fire. On the other hand, Israel did not stop its policy of assassinating political and military leaders of militants groups and carried on the expansion of illegal settlements. No single formal meeting of two delegations took place.

6. The personality of President Arafat was considered as an obstacle to the negotiations by the Israeli leaders who have repeatedly stated that there were no viable negotiators on the Palestinian side. Also President Bush's administration ruled out Arafat as a partner for talks stating that any movement towards peace talks depended on the Palestinians electing a new leadership.

7. In the meantime, the Israelis have been pursuing the construction of the security Wall in the West Bank, started in 2002. The Wall has raised a lot of controversy. It is pointed out that it will isolate the Palestinian population and separate them from families within the Gaza Strip and other Palestinian reservations in the West Bank which will remain outside the Wall, as well as from their lands and resources. Furthermore, the construction results in land and property confiscation and home demolitions. The main controversy relates to the route chosen for the Wall which does not follow the so-called Green Line (1967 border). In 2004, Israel was condemned by the International Court of Justice which proclaimed it a violation of international law and human rights, as well as an obstacle to a peaceful future.

8. A major development constituted the announcement by Israel of a four-stage disengagement plan which foresees the withdrawal of military forces and settlers from the Gaza Strip, Judea and northern Samaria. This unilateral decision, which seems positive at first sight, has been criticized by the Palestinians who fear that it will be used to slow down the pace of the wider negotiation process.

9. Indeed, the Israeli leaders refuse to consider the present pullout as a part of the Roadmap. Until recently they had justified their position by claiming that there was no partner for negotiations on the Palestinian side, and their unilateral decision was meant to break the stalemate. This argument lost its validity with the election of the new President of the Palestinian Authority.

10. Furthermore, the Palestinians accuse Israel of intending to absolve from all legal responsibilities as an "occupying power" – while simultaneously retaining effective military control over the Gaza Strip, its land and sea borders, air area and water supply.

11. For many observers, the internal situation within the Palestinian Authority, mismanagement, alleged corruption, halt to the democratisation of political institutions, as well as the position and personality of President Arafat, constituted a real obstacle to the peace process.

12. As a result of growing internal and external pressure for reform, President Arafat undertook some measures aimed at the advancement of democratic process. Emergency reform plan envisaged presidential, legislative and municipal elections, separation of powers between the executive, legislative and judicial branches as well as economic, financial, security, judicial and public administration reforms.

13. The elections were not held as foreseen and the reform process was again considerably slowed down due to disagreements among Palestinian political leaders, the internal situation within the Palestinian Authority and the state of relations with Israeli authorities.

14. The death of President Arafat on 11 November 2004, created a new political situation. In accordance with the Basic Law, the Speaker of the Legislative Council took over the Presidency, and fixed the date for the new presidential election. Despite widespread fears in the international community about possible struggles between potential successors, the whole process of the run-up to the elections as well as the election itself was held in calm and orderly manner.

### **III. Situation after the election of the new President of the Palestinian Authority**

15. The election of Mr Mahmoud Abbas with a clear majority of 62%, and taken into account a high turnout, constitutes a very positive development. Perceived as a moderate politician, Mr Abbas has on many occasions expressed his commitment to the peace negotiations and support for the Roadmap. He has also declared full commitment to the reform and democratisation process within the Palestinian Authority.

16. The election of Mr Abbas was welcomed by the international community. Mr Solana, the head of EU foreign policy, who met him as the first international politician in Ramallah said that an opportunity now existed for peace in the area and that the Roadmap continues to be the main guideline to reach peace, through the creation of a viable Palestinian state.

17. President Bush congratulated Mr Abbas on his clear victory and invited him to Washington. Prime Minister Sharon also expressed his satisfaction at the outcome of the election.

18. One of the first decisions by the newly elected President concerning the reorganisation of security services and elimination of hate speech in public media allows for optimism.

19. On the other hand, the question, to what extent will he be able to control militant groups remains open. Suicide bombings at the Gaza border which occurred two days after the election and killed 6 Israeli soldiers has obviously made things more difficult. Since then several incidents have taken place resulting in the death of one Israeli security agent and about 20 Palestinians. The threat that a vicious circle of violence continues is very real.

20. There are reports that President Abbas is trying to persuade militant groups to agree to a truce. In public statements, Palestinian militant group leaders signalled they were prepared to consider a ceasefire but only on the condition that it is not unilateral and that Israel ends raids and targeting Palestinian militants.

21. On 21 January 2005, following President's Abbas declaration, Palestinian security forces of about 1 000 men began taking up positions in the Northern Gaza Strip in order to prevent militants from firing rockets at Israeli targets. The deployment was welcomed by Israel and led it to halt plans for a major ground incursion.

22. The question of Security, undoubtedly essential, is not the only one which the new President will have to face. The process of democratisation which has been started will have to be continued despite possible opposition within the Palestinian Authority.

23. The parliamentary elections are scheduled for 17 July 2005, and their outcome may have some impact on the peace process.

24. The situation of the Prime Minister of Israel, Mr Sharon is also difficult. The recent change in ruling coalition in Israel seems to be positive. The Labour Party's agreement to join Likud in a new coalition government provides for more flexibility for movement toward a lasting peace.

25. However, a number of difficult questions remain open; will the Government succeed in mobilising the public for a withdrawal from the whole of the Gaza Strip? Will it be able to remove settlers without bloodshed? Will it give up the "Philadelphi axis" that cuts the Strip off from the world? Will it agree to the reopening of Gaza Port and the airport? Will it provide a "safe passage" between the strip and the West Bank?

26. The international situation in the region seems to have evolved in a positive direction as illustrated by the exchange of prisoners between Israel and Egypt, or Syrian diplomatic efforts to reopen negotiations with Israel over the Golan Heights.

#### **IV. Efforts by the international community**

27. On 1 November 2004, Mr Solana unveiled a 5 point plan which included a series of concrete measures to push forward the establishment of a Palestinian state in the following areas: Palestinian police forces (training and equipment), economy, democratic reforms within the Palestinian Authority, security.

28. This initiative, though undoubtedly most useful, should however not be a substitute for the European Union's responsibility for the advancement of the peace process in the Middle East. So far Europe's role in the negotiations has not been in line with its international position and aspirations. Europe including Russia, should assume its responsibility, involve much more actively and use its influence in order to advance the negotiation process.

29. During his recent visit to the Middle East, British Prime Minister Mr Tony Blair has launched the idea of an international conference with the participation of representatives of both parties to the conflict to be held in London in February 2005. However, the refusal by the Israeli side to attend the conference put British efforts into question.

30. The Council of Europe and in particular the Parliamentary Assembly has certainly got an important role to play. Firstly it hosts on a regular basis parliamentarians from both sides: delegation from the Knesset enjoys an observer status, and representatives of the Palestinian Legislative Council, in accordance with Resolution 1294 (2002) participate in all debates, both at the committee and at the Assembly level, which relate to the Middle East question. This provides both sides with an opportunity to develop parliamentary contacts, maintain dialogue and seek solutions on the basis of principles which the Council of Europe stands for.

31. Secondly, the relevant committees of the Parliamentary Assembly, as well as its Secretariat could step up co-operation with their counterparts in the Palestinian Legislative Council by organising joint meetings, conferences, training of staff etc. Representatives of NGOs could be invited to the meetings relating to their area of expertise.

32. The Sub-Committee on the Middle East of the Political Affairs Committee might be used as a tripartite forum allowing parliamentarians from the Knesset, the Palestinian Legislative Council and the Parliamentary Assembly to sit together on an equal footing with a right to speak and take initiatives for the sub-committee's agenda and actions.

33. Thirdly, the Council of Europe and the Venice Commission or ECRI can provide both sides with expertise in areas of its competence. In particular, the democratisation process within the Palestinian Authority may be supported by projects designed to conform with the Palestinian legislation and practice international standards. The current political situation should not overshadow some necessary long-term actions like revision of textbooks, development of civil society and others.

## **V. Conclusions**

34. The parties concerned should seize this opportunity to re-launch a dialogue with a view to achieving full political settlement. A settlement negotiated between the parties should result in the emergence of an independent and viable Palestinian state living side by side in peace and security with Israel and other neighbours.

35. A two-state solution to the Israeli-Palestinian conflict will only be achieved through an end to violence and terrorism, when the Palestinian people have a leadership acting decisively against terror and willing and able to build a practicing democracy based on tolerance and liberty, and through Israel's readiness to do what is necessary for a democratic Palestinian state to be established, and a clear, unambiguous acceptance by both parties of the goal of a negotiated settlement.

36. The international community should play a leading role and not allow the situation to stagnate. Europe has to take this opportunity and assume its responsibility for the political settlement. If the momentum is lost and the violation escalates, hope will become even more remote than before.

*Reporting Committee:* Political Affairs Committee.

*Reference to Committee:* Reference 3049 of 24.01.05

*Draft Resolution* unanimously adopted by the Committee on 25.01.05

*Members of the Committee:* MM. Abdülkadir **Ateş** (Chairperson), Mikhail **Margelov** (Vice-Chairperson), Latchezar **Toshev**, (Vice-Chairperson), Dick Marty (Vice-Chairperson) (alternate: Maximilian **Reimann**), Mrs Manuela **Aguiar**, MM. Giuseppe Arzilli (alternate: Tito **Masi**), David **Atkinson**, Claudio **Azzolini**, Miroslav **Beneš**, Radu-Mircea Berceanu, Gerardo Bianco, Haakon Blankenborg, Giorgi Bokeria, Luc **Van den Brande**, Mrs Beáta **Brestenská**, MM. Doros **Christodoulides**, Mrs Anna Čurdová, MM. Enrique Curiel Alonso, Noel Davern, Michel **Dreyfus-Schmidt**, Mr Adri **Duivesteijn**, Mrs Josette **Durrieu**, MM. Mikko **Elo**, Jean-Charles Gardetto, Charles Goerens, Daniel **Goulet**, Andreas **Gross**, Klaus-Jürgen Hedrich, Jean-Pol Henry, Joachim Hörster, Tadeusz **Iwinski**, Elmira Jahić (alternate: Sead **Avdic**), Ljubiša Jovašević, Lord **Judd**, Ivan Kalezić, Oleksandr Karpov, Petro **Koçi**, Konstantin **Kosachev**, Yuriy Kostenko, Mrs Daria **Lavtizar-Bebler**, MM. Göran **Lindblad**, Tony Lloyd, Younal **Loutfi**, Frano Matušić, José Medeiros Ferreira, Evangelos **Meimarakis**, Murat **Mercan**, Jean-Claude Mignon (alternate: Denis **Badré**), Marko **Mihkelson**, Mrs Natalia **Narochnitskaya**, M. Zsolt Németh, Mrs Carina **Ohlsson**, MM Boris **Oliynyk**, MM Algirdas **Paleckis**, Theodoros **Pangalos**, Mrs Eleonora Petrova-Mitevskaja, Mrs Sólveig **Petursdottir**, Mrs Clara Pintat Rossell (alternate: Jordi **Daban Alsina**), MM. Gordon Prentice, Dumitru **Prijmireanu**, Ghiorgi Prisacaru, Gabino Puche, Lluís Maria de Puig, Jeffrey Pullicino Orlando (alternate: Leo **Brincat**), Umberto Ranieri (alternate: Tana **de Zulueta**), Michael Roth, Jan Rzymek (alternate: Tomasz **Markowski**), Peter Schieder, Adrian **Severin**, Mrs Hanne **Severinsen**, MM. Samad **Seyidov**, Leonid **Slutsky**, Michael Spindelegger, Zoltán Szabó, Mehmet **Tekelioglu**, Tigran **Torosyan**, Mrs Marianne Tritz, MM. Vajif Vakilov (alternate: Azim **Mollazade**), Andrzej **Wielowiejski**, Bart **van Wissen**, Mrs Renate Wohlwend, Mr Marco Zacchera.

*Ex-officio:* M. Mats Einarsson

**N.B. : The names of the members who took part in the meeting are printed in bold**

*Head of the Secretariat :* Mr Perin

Secretaries to the Committee: Mrs Nachilo, Mr Chevtchenko, Mr Dossow