

Resolution 1452 (2004)^[1]

Situation in the Middle East

1. The Parliamentary Assembly refers to its [Resolution 1420 \(2005\)](#) on the prospects for peace in the Middle East.
2. It observes that, several months after the election of Mr Mahmoud Abbas to the presidency of the Palestinian Authority, the chance for a peaceful solution to the Middle East conflict remains open. Despite the absence of a spectacular breakthrough, some progress towards durable peace has been achieved and is under way.
3. The Assembly expresses satisfaction that even if some regrettable incidents of violence on both sides have happened, the ceasefire remains in force and the co-operation between the Israeli and Palestinian security forces continues.
4. At the same time, the Assembly deplores certain negative developments, such as insufficient progress in dismantling terrorist groups by the Palestinian security forces, the continuation of the construction of the wall and the extension of illegal settlements in Jerusalem and the West Bank by Israel.
5. The implementation of the disengagement plan by Israel should be welcomed. However, the Assembly recalls that it should be followed by the withdrawal from the West Bank in accordance with the road map, which is a valid reference for the peace negotiations.
6. The Assembly is satisfied that the democratisation process within the Palestinian Authority has been continued. The forthcoming elections to the Palestinian Legislative Council will be crucial for further progress towards a meaningful and peaceful solution. The Assembly expects that the date of the elections will be fixed without undue delay, and that they will be held before the end of 2005.
7. The Assembly is appalled by the decision made in February 2005 by Palestinian leader Mahmoud Abbas to end the moratorium on the death penalty decided by his predecessor in 2002. It is shocked by and strongly condemns the execution of four detainees on 12 June 2005. It therefore decides to enter into a dialogue with the Palestinian Legislative Council in order to support legislators in their endeavours to reinstitute a moratorium on executions and abolish the death penalty, and to engage the opponents of abolition in an informed debate.
8. The Assembly expresses its concerns over the serious deficiencies of the Palestinian judicial system. It stresses the need for serious reforms with a view to strengthening democratic institutions and the right of free expression, implementing the rule of law and ensuring the respect for human rights in the legislative, legal and administrative fields.
9. The Assembly regrets and condemns of the recent execution of four detainees on 12 June 2005. The Council of Europe offers its support and expertise to the Palestinian Legislative Council with a view to introducing a moratorium on executions and abolishing the death penalty, and to engaging the opponents of abolition in an informed debate.
10. Recent developments in neighbouring countries, including the withdrawal of Syrian troops from Lebanon and the release of Jordanian prisoners by Israel, constitute a positive framework for the peace process.
11. The Assembly is convinced that the Council of Europe should increase its role in the promotion of democratic values and intercultural and inter-religious dialogue in the region.
12. The Assembly recalls its previous work on the situation of the Palestine refugees and in particular its [Resolution 1156 \(1998\)](#) and [Recommendation 1612 \(2003\)](#) proposing the establishment of a Palestine refugee and displaced persons final status fund under the aegis of the United Nations to finance the cost of resettlement and compensation.
13. The Assembly welcomes the decision of the Political Affairs Committee, following Resolution 1420 (2005), to establish a Tripartite Parliamentary 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 agenda and actions of the Sub-Committee on the Middle East.
14. The Assembly urges the Government of Israel to:
 - i. revise its position concerning the construction of the wall, taking into account the decision of the International Court of Justice and in particular not to create *faits accomplis*;
 - ii. refrain from confiscating land and property and demolishing homes in order to allow further construction of the wall;
 - iii. undertake measures facilitating the movement of the local population and providing them with access to their land and resources if they are separated by the wall;
 - iv. immediately stop construction and extension of illegal settlements in the West Bank and Jerusalem;
 - v. foresee measures enabling free and unrestricted movement of candidates for the parliamentary elections during the electoral campaign as well as of voters on the election day;
 - vi. fully co-operate with the Palestinian authorities and the Central Electoral Commission with a view to allowing fully fair and free elections;
 - vii. consider a disengagement plan for the Gaza Strip as a first step, to be followed by withdrawal from other areas in accordance with the road map.
15. The Assembly urges the Palestinian Authority to:
 - i. considerably increase the efforts aimed at dismantling and disarming terrorist groups;
 - ii. ensure that people who are on the Israeli "wanted list" are not incorporated into the Palestinian security forces;
 - iii. investigate incidents of violence against the Israelis more efficiently and hold any perpetrators accountable;
 - iv. fix a date for the parliamentary elections without any undue delay and ensure that they are held before the end of 2005;
 - v. initiate the introduction of the immediate moratorium on executions and the abolition of the death penalty within two years, and launch a campaign in favour of abolition;
 - vi. co-operate closely with the international community in order to ensure that the forthcoming parliamentary elections are fair and free.
16. The Assembly calls on both sides to:
 - i. step up co-operation between their security forces;
 - ii. use the Council of Europe expertise in order to revise school books with a view of eliminating hate language from them;
 - iii. open extensive peace negotiations, which will lead to a durable peace agreement according to the parameters set by the Geneva Initiative.
17. The Assembly resolves to:

- i. step up its co-operation with all parliaments of the region with a view to promoting democratic values;
- ii. consider granting observer status to the Palestinian Legislative Council following the forthcoming parliamentary elections, subject to the evaluation that they are fair and free and to the abolition of the death penalty;
- iii. promote its proposal for the establishment of a Palestine refugee and displaced persons final status fund under the aegis of the United Nations to finance the cost of resettlement and compensation at every appropriate opportunity, including the forthcoming international donors' conference in London.

1. *Assembly debate* on 21 June 2005 (19th Sitting) (see [Doc. 10570](#), report of the Political Affairs Committee, rapporteur: Mr Margelov; and [Doc. 10594](#), opinion of the Committee on Legal Affairs and Human Rights, rapporteur: Mr McNamara).
Text adopted by the Assembly on 21 June 2005 (19th Sitting).