

P7_TA-PROV(2010)0054**Implementation of Goldstone recommendations on Israel/Palestine****European Parliament resolution of 10 March 2010 on implementation of the Goldstone recommendations on Israel/Palestine**

The European Parliament,

- having regard to the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, on which the Union is based, as set out in Article 2 of the Treaty on European Union,
- having regard to the Universal Declaration of Human Rights,
- having regard to the Geneva Conventions,
- having regard to its previous resolutions on the Middle East,
- having regard to the Council conclusions on the Middle East Peace Process adopted on 8 December 2009,
- having regard to the United Nations Fact-Finding Mission's report on the Gaza conflict,
- having regard to UN General Assembly Resolution 64/10,
- having regard to the UN Secretary-General's report of 5 February 2010 to the UN General Assembly,
- having regard to the UN General Assembly resolution of 26 February 2010;
- having regard to the fact that Hamas is included in the EU's list of terrorist organisations,
- having regard to Rule 110(4) of its Rules of Procedure,
- A. whereas the armed conflict in Gaza that started on 27 December 2008 and ended on 18 January 2009 saw more than 1400 Palestinians and 13 Israelis killed, and led to considerable destruction of civilian infrastructure,
- B. whereas the UN General Assembly, in its Resolution 64/10 of 5 November 2009, has called for all sides to undertake investigations that are independent, credible and in conformity with international standards,
- C. whereas, on 3 December 2009, the UN Secretary-General drew the attention of all parties to the relevant provisions of UN General Assembly Resolution 64/10, and requested written information within three months on any steps they might have taken or were in the process of taking,
- D. whereas the UN Secretary-General, in his statement of 4 February 2010, called on the parties to carry out credible domestic investigations into the conduct of the Gaza conflict,
- E. whereas the UN General Assembly, in its resolution of 26 February 2010, reiterated its call on both Israel and the Palestinian side to conduct credible investigations, and requested further reports within five months,
- F. whereas the EU's action on the international scene must be guided by strict respect for the principles and objectives of the UN Charter and for international law; recalling that, under international law, states have an obligation to respect, protect and ensure the application of international humanitarian law,
- G. whereas the Government of Israel reports that it is investigating 150 separate incidents that occurred during the operation in Gaza,
- H. whereas the Palestinian authorities set up an independent investigation commission on 25 January 2010,
- I. whereas the humanitarian crisis in the Gaza Strip has further deteriorated as a result of the blockade, which is in contravention of international humanitarian law,
- 1. Stresses once again the importance of achieving a just and lasting peace in the Middle East, and between Israelis and Palestinians in particular; underlines that respect for international humanitarian law and international human rights law by all parties under all circumstances and trust-building between Israelis and Palestinians are essential components of a peace process leading to two states living side by side in peace and security;
- 2. Reiterates its call on the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy and on the Member States to work towards a strong EU common position on follow-up to the report of the fact-finding mission – led by Judge Goldstone – on the conflict in Gaza and southern Israel, publicly demanding the implementation of its recommendations and accountability for all violations of international law, including alleged war crimes;
- 3. Urges both sides to conduct investigations within five months that meet international standards of independence, impartiality, transparency, promptness and effectiveness, in line with the UN General Assembly resolutions adopted on 5 November 2009 and 26 February 2010; stresses that respect for international human rights law and international humanitarian law by all parties and under all circumstances is an essential prerequisite for achieving a just and lasting peace in the Middle East;
- 4. Reiterates its call on the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy and on the Member States to monitor actively the implementation of the recommendations set out in the Goldstone report by consulting the EU's external missions and NGOs working in the field; calls for these recommendations and related observations to be included in EU dialogues with both sides, and in multilateral fora;
- 5. Calls on the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy to assess the findings of the investigations by all parties, and to report back to the European Parliament on these assessments;
- 6. Welcomes the efforts made by the UN General Assembly to ensure accountability for all violations of international humanitarian law and international human rights law during the Gaza conflict, and encourages it to continue these efforts;
- 7. Stresses that respect for the rule of law is a fundamental value both within the European Union and in its relations with third countries and parties; also underlines that the responsibility and credibility of the European Union and of its Member States require the investigations to be monitored fully;
- 8. Urges the European Union and its Member States to take into consideration the outcomes of follow-up investigations and of the implementation of the Goldstone report's recommendations vis-à-vis all the parties referred to in that

report;

9. Stresses the importance of cooperation between official authorities and non-governmental organisations in the context of follow-up investigations and the implementation of the Goldstone report's recommendations by all sides; expresses its concern about pressure placed on NGOs involved in the preparation of the Goldstone report and in follow-up investigations, and calls on authorities on all sides to refrain from any measures restricting the activities of these organisations;

10. Recognises the continuing plight of the people of Gaza as a result of the blockade, and welcomes the call made by the Council on 8 December 2009 for an immediate, sustained and unconditional opening of crossings;

11. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, the Member States, the governments and parliaments of the Member States, the UN Secretary-General, the Quartet, the Quartet envoy to the Middle East, the Euro-Mediterranean Parliamentary Assembly, the Israeli Government and Parliament, the President of the Palestinian Authority, and the Palestinian Legislative Council.