



COUNCIL OF
THE EUROPEAN UNION



Council conclusions on the Middle East Peace Process

3166th FOREIGN AFFAIRS Council meeting Brussels, 14 May 2012

The Council adopted the following conclusions:

1. "The EU reaffirms its commitment to a two-state solution and its conviction that the ongoing changes across the Arab world make the need for progress on the Middle East peace process all the more urgent. Heeding the aspirations of the people in the region, including those of Palestinians for statehood and those of Israelis for security is a crucial element for lasting peace, stability and prosperity in the region.
2. Ending the conflict is a fundamental interest of the EU as well as of the parties themselves and the wider region, and it can be achieved through a comprehensive peace agreement, based on the relevant UN Security Council Resolutions, the Madrid principles including land for peace, the Roadmap, the agreements previously reached by the parties and the Arab Peace Initiative. The EU recalls the applicability of international humanitarian law in the occupied Palestinian territory, including the applicability of the fourth Geneva Convention relative to the protection of civilians.
3. The EU welcomes the exchange of letters between the parties initiated on 17 April, following the Quartet efforts facilitated by King Abdullah of Jordan and Foreign Minister Judeh and encourages the parties to continue on this path. The EU welcomes Prime Minister Netanyahu's statement that the new Israeli government will try to advance the peace process. It stands ready to support the resumption of substantive negotiations between Israel and the Palestinians with a view to achieving a two-state solution. The EU strongly urges both sides to build on the current contacts, including the Joint Statement of 12 May, to resume direct negotiations on the basis of the Quartet statement of 23 September 2011. The EU fully supports the Quartet statement of 11 April and calls on the parties to pursue actions conducive to an environment of confidence necessary to ensure meaningful negotiations, to refrain from actions that undermine the credibility of the process and to prevent incitement.
4. The EU and its Member States reiterate their fundamental commitment to the security of Israel, including with regard to vital threats in the region. The EU is appalled by recurring rocket attacks from Gaza and condemns in the strongest terms violence deliberately targeting civilians. The EU reiterates its call on all partners in the region for the effective prevention of arms smuggling into Gaza.
5. The viability of a two-state-solution must be maintained. The EU expresses deep concern about developments on the ground which threaten to make a two-state solution impossible:
 - the marked acceleration of settlement construction following the end of the 2010 moratorium, the recent decision of the government of Israel regarding the status of some settlements outposts as well as the proposal to relocate settlers from Migron within the occupied Palestinian territory, while all outposts erected since March 2001 should be dismantled, according to the Roadmap.
 - in East-Jerusalem the ongoing evictions and house demolitions, changes to the residency status of Palestinians, the expansion of Givat Hamatos and Har Homa, and the prevention of peaceful Palestinian cultural, economic, social or political activities.
 - the worsening living conditions of the Palestinian population in Area C and serious limitations for the PA to promote the economic development of Palestinian communities in Area C, as well as plans of forced transfer of the Bedouin communities, in particular from the wider E1 area.
 - the risk of jeopardising the major achievements of the Palestinian Authority in state-building if the current financial difficulties are not addressed by a common effort of the PA, Israel and donors.
6. Concerning these developments, the EU reiterates its positions and determination to contribute to maintaining the viability of the two-state-solution in accordance with international law and its positions, including the conclusions of the EU Foreign Affairs Council in December 2009, December 2010 and May 2011:

- Settlements remain illegal under international law, irrespective of recent decisions by the Government of Israel. The EU reiterates that it will not recognise any changes to the pre-1967 borders including with regard to Jerusalem, other than those agreed by the parties. The EU and its Member States reaffirm their commitment to fully and effectively implement existing EU legislation and the bilateral arrangements applicable to settlement products. The Council underlines the importance of the work being carried out together with the Commission in this regard.

- The EU reiterates that a way must be found through negotiations to resolve the status of Jerusalem as the future capital of two states. Until then, the EU calls for an equitable provision of resources and investment to the city's population. The EU calls for the reopening of Palestinian institutions in Jerusalem in accordance with the Roadmap.

- Social and economic developments in Area C are of critical importance for the viability of a future Palestinian state, as Area C is its main land reserve. The EU calls upon Israel to meet its obligations regarding the living conditions of the Palestinian population in Area C, including by accelerated approval of Palestinian master plans, halting forced transfer of population and demolition of Palestinian housing and infrastructure, simplifying administrative procedures to obtain building permits, ensuring access to water and addressing humanitarian needs. The EU calls upon Israel to work together with the PA to allow more access and control of the PA over Area C. The EU will continue to provide financial assistance for Palestinian development in Area C and expects such investment to be protected for future use. The EU will engage with the Government of Israel to work out improved mechanisms for the implementation of the donor funded projects for the benefit of the Palestinian population in Area C.

- The EU is the largest donor to the Palestinian Authority. It notes that the majority of the Palestinian Authority's budget is met by its own customs and tax revenues and therefore it urges for swift implementation of improvements, currently discussed between the parties, to the mechanism by which these are collected and transferred, which should be transparent and predictable. The European Union underlines that these transfers by Israel are an obligation under the Paris Protocol. The EU calls on the PA to continue pursuing reforms. The EU calls on other donors, especially donors in the region, to increase their financial support to the Palestinian Authority.

7. The EU expresses deep concern regarding settler extremism and incitement by settlers in the West Bank. The EU condemns continuous settler violence and deliberate provocations against Palestinian civilians. It calls on the government of Israel to bring the perpetrators to justice and to comply with its obligations under international law.

8. The EU remains committed to the Palestinian state building process, including through CSDP missions and within the Quartet, aiming at a Palestinian state based on the rule of law and respect of human rights. The EU is concerned about recent reports of arrests of journalists and underlines the importance of freedom of expression, including via traditional and new media. In this regard, it welcomes President Abbas' instructions to lift the ban on several websites, as indicated in the official Palestinian communiqué. Recalling the Palestinian institutions' responsibility under the Roadmap to end incitement, the EU expresses concern for recent incidents of incitement in Palestinian media and elsewhere.

9. The European Union has consistently called for intra-Palestinian reconciliation behind President Mahmoud Abbas, in line with the principles set out in his speech of 4 May 2011, as an important element for the unity of a future Palestinian state and for reaching a two-state solution. In this regard, it recalls its Council Conclusion in May 2011. The EU looks forward to the holding of elections as an important contribution to Palestinian state-building.

10. Fully recognising Israel's legitimate security needs, the EU continues to call for the immediate, sustained and unconditional opening of crossings for the flow of humanitarian aid, commercial goods and persons to and from the Gaza Strip, the situation of which is unsustainable as long as it remains politically separated from the West Bank. Despite limited progress, the EU urges the government of Israel to take further meaningful and far-reaching steps allowing for the reconstruction and economic recovery of the Gaza Strip, including by allowing trade with the West Bank and Israel."

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