



04.03.2010

JOINT MOTION FOR A RESOLUTION

to wind up the debate on statements by the High Representative of the Union for Foreign Affairs and Security Policy

pursuant to Rule 110(2) of the Rules of Procedure

tabled by

Annemie Neyts-Uyttebroeck on behalf of the ALDE

Ioannis Kasoulides on behalf of the EPP

Veronique de Keyser on behalf of the S&D

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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, set out in Article 2 of the Treaty on the 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 the UNGA Resolution 64/10;
- having regard to the United Nations Secretary General's report of 5 February 2010 to the United Nations' General Assembly;
- having regard to the UNGA resolution of 26 February 2010;
- having regard to the fact that Hamas is included in the terror organisations list of the EU;
- having regard to Rule 110 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 investigations by all sides that are independent, credible and in conformity with international standards;
 - C. whereas the United Nations Secretary General on 3 December 2009 drew the attention of all parties to the UN General Assembly's resolution 64/10 concerning the requirement to provide within 3 months written information on any steps the parties may have taken or were in the process of taking;
 - D. whereas the United Nations Secretary General has called in his statement of 4 February 2010 on the parties to carry out a credible domestic investigation in 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 European Union's action on the international scene must be guided by the strict respect for the principles and objectives of the UN Charter and international law; recalling that international law sets obligations on States to respect, protect and ensure the application of international humanitarian law;
 - G. whereas the Government of Israel reports it is investigating 150 separate cases that occurred during the operation in Gaza;
 - H. whereas on 25 January 2010 the Palestinian authorities have set up an independent investigation commission;
 - I. whereas, due to the blockade that is in contravention with international humanitarian law, the humanitarian crisis in the Gaza Strip has further deteriorated.
1. Stresses 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 and under any circumstances as well as trust-building between Israelis and Palestinians are essential parts of a peace process leading to two states living side by side in peace and security;
 2. Reiterates its call on the High Representative of the Union for Foreign Affairs and Security Policy and the Member States to work towards a strong EU common position on the 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 5 months that meet international standards of independence, impartiality, transparency, promptness and effectiveness, in line with the United Nations 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 precondition for achieving a just and lasting peace in the Middle East;
 4. Reiterates its call on the High Representative of the Union for Foreign Affairs and Security Policy and the EU Member States to monitor actively the implementation of recommendations included in the Goldstone Report by means of consultation of EU external missions and NGOs in the field; calls for the recommendations and related observations to be included in EU dialogues with both sides, as well as in multilateral fora;
 5. Calls on the High Representative to assess the results of the investigations by all parties and to report back these assessments to the European Parliament;
 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 the respect for the rule of law is a fundamental value 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 its Member States requires to fully monitor the investigations;
8. Urges the European Union and its Member States to take into consideration the outcomes of the follow-up investigations and of the implementation of the Goldstone Report's recommendations vis-à-vis all parties referred to by the Report;
9. Stresses the importance of the cooperation between official authorities and non-governmental organisations in the follow-up investigations and in the implementation of the Goldstone Report's recommendations by all sides; expresses its concern about pressures towards NGOs involved in the elaboration of the Goldstone Report and in the follow-up investigations, and calls on authorities on all sides to refrain from any restrictive measures towards the activities of these organisations;
10. Recognises the continuing plight of the people of Gaza because of the blockade and welcomes the call 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 High Representative/Vice President of the Commission, the Member States, the Government and the Parliament 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.