



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 21 November 2005

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**PESC 1050
COMEP 39**

NOTE

Subject : Middle East Peace Process
– Council conclusions

At its meeting on 21 November 2005 the General Affairs and External Relations Council adopted the conclusions on the Middle East Peace Process annexed hereto.

GAERC Conclusions on Middle East Peace Process

(Brussels, 21 November 2005)

1. The Council recalls its detailed conclusions of 7 November. It reiterates to both parties the importance of maintaining forward momentum towards full implementation of the Roadmap.

2. The Council welcomes the Agreement on Movement and Access between the Government of Israel and the Palestinian Authority. These issues are fundamental to improving the humanitarian situation in Gaza and essential for promoting peaceful economic development. The Agreement signifies a major breakthrough. The priority now is to ensure that the commitments made in it are translated into reality. On the basis of the Agreement and the detailed planning undertaken by the EU with the parties, the Council agrees the EU should undertake the Third Party role proposed in the Agreement. It therefore decides to launch, as a matter of urgency, an ESDP mission to monitor the operations of the Rafah border crossing point and welcomes the provision of EU assistance to reinforce Palestinian border management capacities. The Council endorses the appointment of Major General Pietro Pistolese as Head of Mission, approves a Concept of Operations for the EU Mission and looks forward to the early deployment of an initial team of monitors to allow operations at Rafah to begin as soon as possible. The Council expects the team to be supplemented rapidly to enable the full operation of the EU mission and the full opening of the border crossing point. The Council noted that letters of invitation from the Government of Israel and the Palestinian Authority are expected, to which the Secretary General/High Representative will reply and ensure that the necessary arrangements are put in place. The Council also notes that the necessary capacity building, through training, equipment and technical assistance is being taken forward through the Community's assistance to the Palestinian Authority.

3. The Council welcomes the holding of multi-party elections for the Palestinian Legislative Council foreseen for 25 January 2006. The Council underlines that free and fair elections are an indispensable step in the process of consolidating democratic institutions.

4. The Council urges the Palestinian Authority to uphold all provisions of the electoral law. In this regard, the Council welcomes the Code of Conduct for Political Parties and encourages all parties to adhere to its terms. The Council notes that the independent Palestinian Central Election Commission should have sole responsibility for organising the elections. The Council urges Israel to co-operate fully with the Palestinian Authority in facilitating the preparation and conduct of the elections. The Council is especially concerned about freedom of movement for all candidates, election workers and voters, including in occupied East Jerusalem where it calls on Israel urgently to improve voting arrangements, including to facilitate effectively voter registration, access to polling stations and campaigning. The Council urges the Israelis and Palestinians to implement the recommendations made in the final report of the EU Election Observation Mission headed by Mr Rocard for the Palestinian Presidential election of January 2005.
5. The Council welcomes the Palestinian Authority's statements condemning violence and urging Palestinian groups who have engaged in terrorism to abandon this course and engage in the democratic process. The Council recalls the EU's position that all factions, including Hamas, should renounce violence, recognise Israel's right to exist, and disarm. Ultimately, those who want to be part of the political process should not engage in armed activities, as there is a fundamental contradiction between such activities and the building of a democratic State.
6. The EU stands ready to assist the Palestinian Authority financially, technically and politically with the elections, and to send an observer mission which, in liaison with other members of the Quartet and international community, would assess whether the electoral process is conducted in accordance with international principles for genuine democratic elections. Members of an EU Election Observation Mission would have contact with all candidates, but this would be strictly limited to that necessary to observe the election satisfactorily and in a credible manner. EU observers would not engage in political discussions, unrelated to the election process, with candidates of any parties.

7. The Council once again underlined its grave concern at Israeli activities in and around East Jerusalem, including construction of the separation barrier, settlement building and house demolitions. These reduce the possibility of reaching a final status agreement on Jerusalem, threaten to make any solution based on the co-existence of two viable states physically impossible and are contrary to international law. In this light, the Council tasks relevant Council bodies to submit a detailed EU analysis on East Jerusalem to be adopted and made public at the next GAERC.
