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From: General Secretariat of the Council

To: Delegations

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Subject: Council conclusions on the Middle East Peace Process
- Council conclusions (18 January 2016)

Delegations will find in the annex the Council conclusions on the Middle East Peace Process, adopted by the Council at its 3443rd meeting held on 18 January 2016.

COUNCIL CONCLUSIONS ON THE MIDDLE EAST PEACE PROCESS

1. The Council is deeply concerned that the continuing cycle of violence has led to a serious loss of human life in Israel and the Palestinian territory in recent months. The EU firmly condemns the terror attacks and violence from all sides and in any circumstances, including the death of children. The EU calls on political leaders to work together through visible actions to contribute to calm and address the underlying causes of the tensions. The EU recalls the special significance of the holy sites, and calls for upholding the status quo put in place in 1967 for the Temple Mount / al-Haram al-Sharif in line with previous understandings and with respect to Jordan's special role.
2. The EU urges all parties to refrain from any action that would worsen the situation by way of incitement or provocation and calls on the parties to condemn attacks when they occur and adhere strictly to the principles of necessity and proportionality in the use of force. It commends both sides for upholding security coordination in the light of an extremely challenging situation. The EU welcomes progress on the Duma investigation and calls for Israel to hold all perpetrators of settler violence to account. The EU also calls on both sides to jointly and resolutely fight incitement and hate speech, for instance by establishing a mechanism to consult on incitement along the lines of their previous commitments.
3. The EU is convinced that only the reestablishment of a political horizon and the resumption of dialogue can stop the violence. Security measures alone cannot stop the cycle of violence. The underlying causes of the conflict need to be addressed. The EU reaffirms its support to the Quartet calls for significant transformative steps to be taken, consistent with the transition envisaged by prior agreements, in order to restore confidence and rebuild trust. The EU urges both sides to implement these measures at the earliest juncture possible. A fundamental change of policy by Israel with regard to the occupied Palestinian territory, particularly in Area C, will significantly increase economic opportunities, empower Palestinian institutions and enhance stability and security for both Israelis and Palestinians.

4. The EU is united in its commitment to achieving a two-state solution - based on parameters set out in the Council Conclusions of July 2014 - that meets Israeli and Palestinian security needs and Palestinian aspirations for statehood and sovereignty, ends the occupation that began in 1967, and resolves all permanent status issues in order to end the conflict. It strongly opposes all actions that undermine the viability of the two state solution and urges both sides to demonstrate, through policies and actions, a genuine commitment to a two-state solution in order to rebuild trust and create a path back to meaningful negotiations. To this end, the EU will continue to closely monitor developments on the ground and their broader implications and will consider further action in order to protect the viability of the two-state solution, which is constantly eroded by new facts on the ground.
5. Securing a just and lasting peace, ending all claims, will require an increased common international effort. The EU, including through the action of its Special Representative, will work actively with all relevant stakeholders, including partners in the Quartet, notably the United States, in the region and in the United Nations Security Council, towards a renewed multilateral approach to the peace process. Recalling the spirit of dialogue and cooperation that presided over the Madrid Conference 25 years ago, the establishment of an International Support Group and a further international conference are both possible ways to contribute to this end. The EU recalls its willingness to engage further with regional partners on the basis of the Arab Peace Initiative which provides key elements for the settlement of the Arab-Israeli conflict as well as the opportunity for building a regional security framework.
6. The EU recalls that compliance with international humanitarian law and international human rights law by states and non-state actors, including accountability, is a cornerstone for peace and security in the region. The EU calls for the protection of children, including ensuring the right to education in a safe and secure school environment. The Council highlights the importance of unhindered work of civil society both in Israel and the occupied Palestinian territory and follows recent developments in this regard with concern.

7. Recalling that settlements are illegal under international law, constitute an obstacle to peace and threaten to make a two state solution impossible, the EU reiterates its strong opposition to Israel's settlement policy and actions taken in this context, such as building the separation barrier beyond the 1967 line, demolitions and confiscation - including of EU funded projects - evictions, forced transfers including of Bedouins, illegal outposts and restrictions of movement and access. It urges Israel to end all settlement activity and to dismantle the outposts erected since March 2001, in line with prior obligations. Settlement activity in East Jerusalem seriously jeopardizes the possibility of Jerusalem serving as the future capital of both States.
8. The EU and its Member States are committed to ensure continued, full and effective implementation of existing EU legislation and bilateral arrangements applicable to settlements products. The EU expresses its commitment to ensure that - in line with international law - all agreements between the State of Israel and the EU must unequivocally and explicitly indicate their inapplicability to the territories occupied by Israel in 1967. This does not constitute a boycott of Israel which the EU strongly opposes.
9. The EU urges all Palestinian factions to engage in good faith in the reconciliation process which is an important element for reaching the two state solution. The EU will continue its support to Palestinian aspirations for Statehood. It is of the utmost importance that the positive results of the past are not lost and Palestinian institutions must continue to grow stronger, more transparent, more accountable and more democratic. The EU calls upon the government to work towards genuine and democratic elections for all Palestinians. Strong, inclusive and democratic institutions, based on respect of the rule of law and human rights, are crucial in view of the establishment of a viable and sovereign Palestinian State. To this end, the EU calls on all Palestinian factions to find common ground and to work together to address the needs of the Palestinian population.

10. The EU calls for all parties to take swift steps to produce a fundamental change to the political, security and economic situation in the Gaza Strip, including the end of the closure and a full opening of the crossing points, while addressing Israel's legitimate security concerns. Recent rocket fire by militant groups is unacceptable and underlines again the danger of escalation. All stakeholders must commit to non-violence and peace. The EU urges the Palestinian sides to make the reconstruction of Gaza an overarching national priority especially as regards to health, energy and access to water. The Palestinian Authority must fully resume its governmental functions in Gaza, as it is an integral part of a future Palestinian state. The EU welcomes the steps that Israel has taken to ease some restrictions on Gaza. However the lifting of restriction on movement of people, services and goods - particularly those designated as 'dual-use items' - is needed to allow reconstruction efforts and basic service delivery. The EU calls all parties, state and non-state actors to guarantee unimpeded humanitarian access to Gaza, as foreseen by international humanitarian law, for national, local and international humanitarian organizations, including EU bodies and Member States. The EU remains ready to engage with the parties and relevant stakeholders towards resolving the situation and calls on the international community to swiftly honour its pledges.

11. The EU reiterates its offer to both parties of a package of European political, economic and security support and of a Special Privileged Partnership with the EU, which offers substantial benefits to both parties, in the event of a final peace agreement. The EU underlines that the future development of the relations between the EU and both the Israeli and Palestinian partners will also depend on their engagement towards a lasting peace based on a two-state solution.
