Parliamentary Assembly
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Resolution 1493 (2006)[1]

Situation in the Middle East

Parliamentary Assembly

1. The Parliamentary Assembly welcomes the fact that the elections to the Palestinian Legislative Council on 25 January 2006, despite some shortcomings, were on the whole conducted in a well organised and democratic fashion, and can be considered as fair and free.

2. The elections showed the commitment of the Palestinian people to the democratic process and constituted an important step forward in the creation of democratic institutions in the Palestinian territories and the consolidation of democracy.

3. However, the Assembly notes that democracy does not end with elections. Democracy has never been merely a procedural process such as holding elections, but represents a complex of substantive values that include basic principles promoted by the Council of Europe, such as peace, tolerance, the sanctity of human life, the negation of violence as a political tool and respect for the rule of law.

4. The Assembly takes note of the choice of the Palestinian people.

5. At the same time, the Assembly underlines that the participation of the Palestinian parties in the political process is incompatible with involvement in armed or terrorist activities. Use of violence and terrorism cannot be accepted as a measure to achieve political goals.

6. In this regard, it is a matter of priority that Hamas, the winner of the parliamentary elections, renounces violence, disarms and recognises Israel's right to exist. Similarly, the newly appointed Palestinian Government has to take a clear stand on the peace negotiations and respect previous agreements.

7. The result of the parliamentary elections held in Israel on 28 March 2006 creates a new chance to resume a political dialogue and this opportunity must not be wasted. Kadima, the party which won the elections, and its partners in a future government have a great responsibility to seek a solution based on a bilateral agreement resulting from peaceful negotiations. Any unilateral action will not guarantee a sustainable settlement of the conflict and should not be undertaken.

8. The Assembly reaffirms its conviction that the road map continues to be a valid reference for the peace negotiations and a two-state solution. In the framework of this respect for the road map, the Assembly calls on the Palestinian authorities to dismantle the terrorist groups and their infrastructures.

9. It is essential that the dialogue and negotiations with a view to a peaceful settlement of the conflict be resumed.

10. The international community, and in particular the Quartet (the European Union, the United Nations, the Russian Federation and the United States) should actively contribute to the creation of conditions which would enable the resumption of contacts between both parties to the conflict, while remaining firm on their requirements from the new Palestinian Government to commit to the principles of non-violence, the recognition of Israel and acceptance of previous agreements and obligations.

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1. Assembly debate on 11 April 2006 (11th Sitting) (see Doc.10882, report of the Political Affairs Committee, rapporteur: Mr Margelov). Text adopted by the Assembly on 11 April 2006 (11th Sitting).

11. The Assembly strongly urges the leaders of Hamas:

11.1. to clearly and without reservation or delay renounce violence, recognise the state of Israel within secure internationally recognised borders, and express support for the Middle East peace process as outlined in the Oslo Accords;

11.2. to disarm and renounce engagement in the activities of armed groups;

11.3. to condemn terrorist actions;

11.4. to support and enhance the democratic process in the Palestinian Authority.

12. The Assembly calls on the Government of Israel:

12.1. to express commitment to the resumption of negotiations and political dialogue on the basis of the road map;

12.2. to halt military operations and extrajudicial executions of militants of Palestinian extremist organisations without delay;

12.3. to refrain from unilateral action;

12.4. to put an immediate end to the expansion and construction of illegal settlements;

12.5. to review its position concerning the construction of the security wall taking into account the decision of the International Court of Justice;

12.6. to recognise the rights of the Palestinian people to live freely and safely in their own independent state with internationally recognised borders.

13. Subject to paragraphs 11 and 12, the Assembly calls on the Israeli and Palestinian sides: 1

13.1. to resume contacts and engage in a meaningful peace process and negotiations;

13.2. to co-operate with international mediators.

14. The Assembly calls on the Quartet to actively contribute to the creation of a positive climate enabling the resumption of peace negotiations.

15. The Assembly resolves to continue facilitating contacts between members of the Palestinian Legislative Council and the Knesset at parliamentary level. In this regard, it reaffirms its support to the establishment of a Tripartite Forum within the Parliamentary Assembly with a view to discussing questions of common interest.

16. Subject to respect of the above-mentioned principles, the Assembly also instructs its Bureau to consider the possible establishment of a co-operation agreement between the Palestinian Legislative Council and the Assembly.

17. The Assembly believes that the Committee of Ministers should reaffirm its commitment to 16. Furthermore, the Assembly decides to associate more closely members of the Palestinian Legislative Council in the work of the Parliamentary Assembly and its committees beyond the framework of Assembly Resolution 1245 (2001) on the Middle East conflict and invite them systematically to plenary sessions of the Assembly. the establishment of negotiations of the peace process with all possible diplomatic and political efforts.