

Mr Erkki Tuomioja
EU Presidency
Ministry of Foreign Affairs
Finland

Brussels, 5 December 2006
Our ref. B603

Dear Mr. Tuomioja,

Subject: Middle East Peace Process - make human rights an essential cornerstone

On the eve of the forthcoming General Affairs and External Relations Council, Amnesty International would like to draw your attention to the deteriorating situation in the Middle East.

The peace plan or "road map" drawn up by the "Quartet" in 2003 has not yielded the desired result. On the contrary, 2006 has been the most violent year in the region for more than a decade. The sharp upsurge in human rights violations against civilians in Lebanon, Israel, the West Bank and Gaza, marked the unequivocal end to the cease-fire agreed in February 2005.

Amnesty International has been systematically documenting these violations. In fact, the organisation's Secretary General, Irene Khan, is currently on an official visit to the region to call on all parties to the conflict to halt violations and hold perpetrators accountable.

Although the open hostilities have momentarily abated, the situation remains extremely fragile and the conflict unresolved, with the likely prospect of continued grave human rights violations. Amnesty International therefore welcomes the hope for renewed prospects for peace expressed by EUROMED Foreign Ministers in Tampere in regard to the November cease-fire in Gaza. Subsequent initiatives both within the EU, such as the recent three-party plan, and in the Middle East, such as follow-up to the 2002 Saudi initiative, are testimony to this political will.

However, Amnesty International is concerned that the proposals currently being discussed do not have an adequate human rights component. Although these initiatives wish to achieve a lasting cease-fire and the exchange of prisoners, little is known about what additional steps are envisaged to safeguard human rights of the long-suffering population in the region.

Amnesty International holds the view that human rights violations are often both a source of conflict and an expression of it. Therefore violations must be addressed for peace to be restored and democracy to flourish.

Human rights are a powerful tool for bringing parties closer and finding a solution to the conflict. Mediators operate in a politically contentious and sensitive atmosphere. In such a setting, internationally accepted norms of human rights can provide the parties with a common language with which to approach the root causes of their own conflict.

In its deliberations about a coherent EU effort towards revitalising the Middle East peace process, Amnesty International urges the Presidency and EU Foreign Ministers to make human rights a cornerstone of such efforts.

The EU should exert its political influence to ensure that any initiative that receives the support of the conflicting parties includes the following key steps:

- Deploy an effective international human rights monitoring mechanism across Israel and the Occupied Territories to monitor the compliance of each party with its respective obligations under international law; report publicly; and recommend corrective measures to be adopted by the parties, other countries or international organisations;
- Ensure accountability of both parties, in compliance with their obligations under international human rights and humanitarian law. Investigate and where feasible prosecute through the exercise of universal jurisdiction those responsible for war crimes or other crimes under international law;
- Ensure that the occupying power fulfils its obligation to provide for the protection and welfare of the Palestinian population and refrain from imposing sanctions that negatively affect the provision of humanitarian assistance to the Palestinian population. The international community and donor states providing humanitarian assistance to the PA, notably the USA and EU countries, must take immediate steps to minimise the adverse impact on human rights of their suspension of funding. They must ensure that emergency assistance essential to fulfilling fundamental human rights is never used as a bargaining tool to further political goals;
- Immediately stop the sale or transfer of weapons to all parties until such time as guarantees can be secured that such equipment will not be used to violate human rights and international humanitarian law; and
- Ensure that any peace process includes concrete provisions that address fundamental human rights issues at the heart of the conflict, including the removal of Israeli settlements from the Occupied Territories; the dismantling of the fence/wall inside the West Bank; ending the closures; and in the long term a fair solution to the refugee question.

We look forward to hearing from you as to the outcome of your deliberations.

With best regards,



Dick Oosting
Director, EU Office



Frank Johansson
Director, AI Finland

cc.
EU Foreign Ministers
EU HR Javier Solana