

AFRICAN UNION

الاتحاد الأفريقي



UNION AFRICAINE

UNIÃO AFRICANA

Addis Ababa, ETHIOPIA

P. O. Box 3243

Telephone: 517 700

Fax: 5130 36

website: [www. www.au.int](http://www.wwww.aau.int)

SC12481

EXECUTIVE COUNCIL

Twenty-fifth Ordinary Session

20 – 24 June 2014

Malabo, EQUATORIAL GUINEA

EX.CL/848(XXV)
Original: English

**REPORT OF THE COMMISSION ON THE SITUATION IN
THE MIDDLE EAST AND PALESTINE**

**REPORT OF THE COMMISSION ON THE SITUATION IN
THE MIDDLE EAST AND PALESTINE
JANUARY-JUNE 2014**

I. INTRODUCTION

1. The African Union follows closely developments in the Palestine and the Middle East within the framework of Solidarity of Africa and the Arab World. The Union has supported the Palestinian Cause over the years and continues to do so today, as this struggle remains a pivotal issue for the entire Arab World. The solidarity of the African Union with the Arab World in support of the struggle of the Palestinian People has as its fundamental goal the establishment an independent state on all the lands of Palestine, which has been occupied by Israel since 1967, with Jerusalem as its capital. This firm political stance of the entire Arab World, supported by the African Union also includes a clarion call for the immediate withdrawal of Israel from the Syrian Golan Heights and from southern Lebanon.

2. This is the report of the African Union Commission (AUC) on the evolving situation in the Middle East and Palestine during the period January-June 2014. We recognize that a full understanding of the situation in Palestine cannot be appreciated without the larger regional context of the Middle East region. Thus, during the period under review, the Palestinian cause has witnessed grave complications and changes orchestrated by regional dynamics in the Arab World. These dynamics have included, among others, the devastating consequences of the conflicts in Syria, Lebanon, Iraq, and Yemen, with massive humanitarian challenges. The political changes underway in Tunisia, Libya and Egypt have their own impact on the Middle East and the Palestinian Question. All these recent and or on-going conflict situations have tended to overshadow the Palestinian struggles. This has come about as a result of the diminishing interest of the Arab World in the Palestinian cause and/or the shifting priorities of the region and the international community which have to now respond to a multiplicity of hot spots.

3. The Peace Process between the two parties, Palestine and Israel, in the United States is currently facing several obstacles due to the intransigent stance of the Israeli side which has adopted a policy of aggression to enforce a *fait accompli* on the Palestinians. This gun-boat diplomacy by Israel is aimed solely at denying Palestians their legitimate right of establishing their own state on the territory of their own homeland. Israel continues to threaten them that it would enforce a series of new sanctions against them in response to the application of the Palestinian leadership to accede to international Agreements.

II. THE SITUATION IN OCCUPIED JERUSALEM

4. Occupied Eastern Jerusalem continues to suffer from intensified Israeli aggressions and the Judization campaign aimed at eradicating the Islamic and Christian identities of the city. The Israeli strategy in Eastern Jerusalem has also involved deliberate efforts, to reduce the number of the city's population, confiscation of Palestinian land, demolition of homes, surrounding the city on all sides by settlements and the enforcement of severe procedures and restrictions against Palestinians. Furthermore, Israel has increased guards along the separation wall which surrounds the old city. This wall actually separates Jerusalem from the West

Bank and the rest of the Palestinian territories. By so doing Israel seeks to enforce a *fait accompli* and abort the chances of achieving the two state solution to which Israel objects in spite of having approved and signed agreements on this solution in the past.

5. Observers indicate that the rate of building of settlements has increased by 123% since the recent past. This dramatic escalation is a clear demonstration of Israel's intentions of Israel to continue its occupation of Jerusalem. This is also a further demonstration that Israel is not convinced of the two state solutions and the establishment of a Palestinian state with its capital in Jerusalem where Al Aqsa Mosque and the Church of resurrection are located.

6. On 18 January 2014, the Quds (Jerusalem) Committee met for the first time since 2002 and it was chaired by its president, King Mohammed VI of Morocco. The Committee discussed several issues including the latest developments in Jerusalem, and how to confront the Israeli practices that seek to eradicate the identity of Jerusalem and its Arab Islamic heritage. Moreover, the Committee also considered how best to implement the recommendations issued of the Ministerial Council of the Organization of Islamic Cooperation (OIC) in its recent meeting held in Guinea Conakry.

7. Al Quds Committee asserted that establishing a just and comprehensive peace in the Middle East was and shall always be one of the major goals of the member states of the Organization of Islamic Cooperation, on the basis of international legitimacy particularly the two Security Council Resolutions No. 242 and 338, and the principle of land for peace. The Committee called for the necessity of following up the peace talks so that peace may be achieved on these bases.

8. The Committee also expressed its support for the efforts exerted to establish a fair and comprehensive peace in the occupied Syrian Golan Heights and its complete restoration back to the 4th of June 1967 borders. The Committee further hailed the victory of Lebanon and the liberation of its south.

9. The Committee reiterated its support for the stance of the State of Palestine that is based on its sovereignty over the city of Jerusalem including the Sacred Shrine of Al Haram as well as over all other Muslim and Christian sacred places and shrines that have been occupied by Israel since June 1967. It has reaffirmed that Jerusalem is the capital of the independent Palestine state, and expressed its rejection of any attempt to jeopardize the complete and absolute sovereignty of the Palestinian State over Jerusalem.

10. Peace cannot be achieved until and unless the occupied Eastern Jerusalem becomes the capital of the Palestinian State. The continued occupation, the building of settlements, the Judization of the Holy city, the aggression against the Muslim and Christian sacred shrines, the falsification of the city's history, the eradication of its civilizational, human, historical, and cultural heritage, the demographic and geographic alteration of the city are all invalid and null measures as provided for by international law and the resolutions of the International legitimacy, as well as by the Geneva and the Hague Conventions for the Protection of Cultural Heritage.

III. THE PEACE NEGOTIATIONS

11. The Peace negotiations between the two parties are at a stalemate with no significant progress due to Israel's intransigence and its insistence on having Palestine acknowledge Israel as a Jewish state. Such an acknowledgement shall lead to the revocation of many of the previously concluded agreements and treaties, as well as to the cancellation of the relevant Security Council resolutions pertaining to the right of return of the Palestinian refugees to their homeland. This obstinate stance, on the part of Israel, can lead to the dissipation and loss of the rights of the Arabs of 1948 who are now part of the Israeli state.

12. The Palestine Question did not elude attention of the Arab leaders during the 25th Regular Session of the Arab League, during its Summit held in Kuwait on 25-26 March 2014. The Summit adopted the Kuwait Declaration in which the Arab leaders reaffirmed that the Palestinian cause remains the core issue for the Arab and Muslim nations. The leaders also reiterated their commitment to work on exerting all efforts to ensure the establishment of a Palestinian state with East Jerusalem as its capital to the 4th June 1967 border line according to the international resolutions numbers 242, 338 and 1397 within the framework of the Arab peace initiatives and resolutions of the European Union, especially the Brussels statement which call for the need for a two state solution and impose peace in the Middle East.

13. The Arab Summit reconfirmed its stance and conviction that a just and comprehensive peace is the strategic option for sustainable resolution of the Palestinian Question. The Summit further asserted that a comprehensive and just peace in the region cannot be achieved without complete withdrawal of Israel from the occupied Arab and Palestinian territories including the Syrian Golan Heights and the southern parts of Lebanon that are still occupied, and the retreat of Israel to the June 4th 1967 borders.

14. The last Arab Summit declared its firm support towards a fair resolution to the problem of the Palestinian refugees on the basis of the Arab Peace Initiative, and Resolution No.194 of the United Nations General Assembly of 1948. It also affirmed its rejection of all forms of Israeli settlement, and expressed its full consolidation for the establishment of the independent Palestine sovereign State with Eastern Jerusalem as its capital as is provided for in the Arab Peace Initiative approved in the Arab Summit held in Beirut, Lebanon in 2002. It further confirmed the decisions of all the previous Arab summits to this end as provided for in the resolutions of the International legitimacy and its relevant authorities.

15. It has now become abundantly evident that the purpose of Israel's negotiations is to gain time so as to execute its plan to judize Jerusalem, to establish more settlements, and to annex more lands to enforce a *fait accompli* particularly now when the region is in a tragic situation due to wars, conflicts and disputes which have generated a region-wide instability and the preoccupation of the countries of the region with their own intra-state conflicts, notably Syria. Thus Israel wants to have the kind of peace that it wishes to have and not a just, comprehensive and lasting peace. It further wishes to enforce its own will and benefit from the imbalance of power in the region for its own interest, and consequently force a deficient and incomplete peace that would ultimately ignite the whole region anew.

16. In an attempt to find ways to promote the continuation of serious negotiations between the two parties, President Mahmoud Abbas proposed to President Obama of the United States, in Washington, to try to convince Israel to stop its construction of settlements and to release all the Palestinian prisoners who have been imprisoned in Israel since the "Intifada" of 2005. In return the Palestinians would agree to extend the time limit for the peace talks. President Obama proposed to President Abbas to abide by the framework Agreement which the American Secretary of State John Kerry had proposed and to extend the time limit of the negotiations until the end of 2014.

17. Since November 2013 no direct talks have taken place between the two parties, but all negotiations are conducted through the American mediator. Israeli Prime Minister Benyamin Netanyahu is following a tactic of discussing marginal issues removed from the main course of negotiations and tangential to the six well known core issues for achieving a final and sustainable resolution of the Palestinian Question. These six key issues are: (a) the borders, (b) Jerusalem, (c) the settlements, (d) the refugees, (e) water and (f) security. Now he has turned the focal point of negotiations to Palestine's acknowledgment of Israel as a Jewish state. Therefore the current course of negotiations is seriously threatened in spite of the concerted American efforts. During their Summit in Kuwait, the Arab leaders rightly accused Israel for stalling the peace process in the Middle East and the continuation of tension in the region. They rejected recognition of Israel as Jewish state.

IV. ISRAELI AGGRESSION AGAINST GAZA STRIP

18. The Palestinians in Gaza follow with deep concern the obstruction of the peace talks with Israel. Their anxiety focuses on the economic, security and political repercussions should the negotiations fail. Gaza is one of the most densely populated areas in the world. The latest statistics indicate that the density of population in this area is 26 thousand inhabitants per square Kilometre. This rate of density of the population rises to 55 thousand inhabitants per square Kilometre in the camps.

19. Israel still restricts the movement of the inhabitants of Gaza, and closes the crossings, a matter that makes daily life in Gaza an ordeal. Moreover, Israel, every now and then, launches rocket attacks against Gaza under the pretext of searching for Jehadien groups. These attacks have ruined Gaza's infrastructure, its roads, and its electricity cables, and have also demolished houses, schools and hospitals in addition to seriously polluting the environment.

20. The African Union continues to call upon Israel to put an end to all forms of aggression, and to remove all blockades against Gaza. Meanwhile, the AU also calls upon all Palestinian factions to stop their attacks from Gaza against Israel including rocket bombing and border attacks, so as not to give Israel a pretext to attack individuals and vital establishments thus paving the path and creating a favorable atmosphere for the continuation of the negotiations between the two sides.

21. This includes opening the crossings and facilitating the movement of persons and goods, and enforcing no restrictions on the freedom of movement of the inhabitants of border areas. The AU would like to remind the Quartette of its international duty to find ways and means of establishing peace and encouraging

other countries to adhere to relevant international instruments for the lasting solution of the Palestinian Question. The AU calls on the Quartette to endeavour to find new mechanisms on the basis of the International legitimacy to put an end to the Israeli occupation and its policies of aggression and destabilization both in Gaza and in other occupied territories.

V. PALESTINIAN CAPTIVES

22. One of the major problems obstructing the negotiations between the two parties is the issue of prisoners. The issue of prisoners is often used to pressure the two parties to show their good intentions, and at others to pressure them to continue with the negotiations. In his meeting in Washington with the American President Obama, Palestinian President, Abbas, called for the release of the Palestinian prisoners of the 2005" Intifada" as a precondition for extending the dead line of negotiations with Israel. He has submitted a list of 150 names of old and sick prisoners together with the names of the three Palestinian political leaders, namely Marawan El Barghouty, Ahmed Sa'adat and Fouad El Shoubky.

23. The League of Arab States has requested sending an international Committee to investigate the status of Palestinian and Arab prisoners in Israeli prisons and to endeavour to release them. The General Secretariat of the League of Arab States has asserted in a recent report on the issue of Palestinian and Arab prisoners and arrestees that it is closely following up the latest developments on this issue. It has also stated that their condition at the humanitarian level is gravely deteriorating and that there are still more than 5000 Palestinian prisoners in Israeli prisons.

24. The Palestinian Authority demands the completion of the release of the fourth batch of prisoners, a matter that has been hindered as a result of the obstruction of the negotiations. The American mediator has made efforts to convince both parties to extend the deadline for completion of the negotiations by striking a deal by virtue of which the Palestinian prisoners would be released and the building of Israeli settlements would be halted, and in return the Palestinians would not apply to international organizations seeking their recognition.

25. The issue of the Palestinian prisoners has always been linked with the issue of establishing peace. It remains an integral part of any attempt to achieve a just and lasting peace in the region. No peace agreement or settlement can ever be attained without the release of the Palestinian prisoners. In fact the League of Arab States has adopted several decisions to activate consideration of the issue of these prisoners and has launched international political and media campaigns at all levels and in all forums in support of the release of these prisoners. These campaigns also aim at raising international awareness of the tragic status of those Palestinian prisoners in Israeli prisons who suffer from deliberate medical negligence and continuous threats to their lives.

VI. CONCLUSION AND RECOMMENDATIONS

26. The African Union has always been a true and genuine supporter of the Palestinian Cause encouraging its member states to recognize Palestine and its legitimate right to establish its own state with Jerusalem as its capital and within the

borders of 1967 so that it may live side by side with the Israeli State, and thus peace may prevail in the region.

27. The African Union further reiterates its support for a peaceful solution through the currently applied negotiation mechanisms, in accordance with the principles of international law, and all the relevant resolutions of the United Nations. The African Union also asserts its support for the two state solutions and reaffirms its continuous support for the Palestinian State to have its right of full membership in the United Nations, as well as its right to endeavour to conclude international agreements with all the parties of the international community. This will surely strengthen Palestine's commitment to the provisions of the various international agreements and ensure its rights as an active member of the international community.

28. The colonialist and expansionist ambitions of Israel on occupied territories should be stopped so as to create a favourable atmosphere for promoting the peace talks and moving the process forward towards sustainable peace. This stance will ensure Israel's seriousness and its respect for the two state solutions, which it, itself, had accepted earlier. It will allow for progress in the peace talks. Israel should take into consideration the increasing popular wrath and anger in the region and the dissatisfaction of the whole world as a result of its continuous violation of the international law.

29. The African Union condemns the land and sea blockade enforced on Gaza, and calls for the opening of all crossings to allow for the free movement of persons and goods. It calls for the immediate release of all Palestinian prisoners in Israeli prisons.

30. As the African Union is committed to support the rightful cause of Palestine being a cause of liberation from foreign occupation, the AU Member States are called upon to reiterate their commitment of support of the struggle of the Palestinian people until they succeed in establishing their state on their national territory with Jerusalem as its capital.

AFRICAN UNION UNION AFRICAINE

African Union Common Repository

<http://archives.au.int>

Organs

Council of Ministers & Executive Council Collection

2014

Report of the commission on the situation in the Middle East and Palestine

African Union

African Union

<http://archives.au.int/handle/123456789/4573>

Downloaded from African Union Common Repository