

Resolution

Autumn retreat of the Federal Board of Alliance 90 / The Greens

Anmerkung: hierbei handelt es sich um eine sorgfältige Übersetzung des Buvo-Beschlusses der Klausur vom 1.-2.9.2015. In allen Zweifelsfällen ist das deutsche Original ausschlaggebend für die Positionierung der Partei.

Berlin 01.-02.09.2015

BETWEEN UPHEAVAL IN THE ARAB WORLD AND SETBACKS IN THE PALESTINIAN-ISRAELI PEACE PROCESS – HOW SHOULD GERMAN MIDDLE EAST POLICY PROCEED?

At the federal delegate conference in Freiburg in 2010, Alliance 90 / The Greens adopted comprehensive “Principles of Green Middle East policy”, followed by a resolution on the recognition of the Palestinian state at the federal delegate conference in Kiel in 2011. Alliance 90 / The Greens emphatically confirm these resolutions of principles.

They include:

- Alliance 90 / The Greens stand for a two-state settlement in order to achieve the continued existence of Israel as a democratic state and, as described in the Israeli declaration of independence, a national home for the Jewish people for the benefit of all its inhabitants, as well as the creation of a sovereign, viable and democratic State of Palestine;
- We stand for the recognition of a Palestinian state on the basis of the borders of 1967 and support its admission into the United Nations;
- We reject any strategies on both sides that rely on violence and confrontation and the continued creation of facts that are opposed to the achievement of a stable two-state structure;
- The European Union must take an active, constructive role and induce both sides with positive and negative incentives towards direct and substantial peace talks with the goal of a two-state settlement;
- We acknowledge Germany’s special responsibility towards the State of Israel as well as its right to exist and its security in secure borders as a cornerstone of German foreign policy;
- We stand for the right of the Palestinians to live in self-determination, peace and security free of occupation and safeguarding of their human rights in their own state.

Changed security situation in the region

The situation in the region has dramatically changed in the five years since the resolutions of principles were adopted:

- Following the revolutionary upheavals that began in 2011, many Arab states are again characterised by severe inner repression or conflicts fought with great

brutality. Particularly on the occupied Golan heights and at the border to the Egyptian Sinai peninsula, Israel, too, is directly affected and threatened.

- Mainly the brutal war of the Assad regime against the Syrian population and the rise of the jihadist so-called ISIS (Islamic State in Iraq and Syria) led to a humanitarian disaster with more than 200,000 people killed. 10 million people have now been displaced, with most of them seeking refuge in the neighbouring countries. The conflict in Syria has also contributed to disintegration of the state in Iraq. The scale of these events continues to also threaten the stability of several neighbouring states, particularly Lebanon, Jordan and Turkey.
- Internationally and in the region, the political priority of the Israeli-Palestinian conflict has decreased. At the same time, it has lost none of its volatility, as witnessed by the unsuccessful end of the last talks in April 2013 and the third Gaza war in just five years.
- The entire region is increasingly characterised by the tensions between Saudi Arabia and Iran as powers with hegemonic aspirations.
- With the agreement between the five veto powers of the UN Security Council and Germany as well as Iran, it has finally been possible to defuse the conflict over the Iranian nuclear programme, which lasted for 10 years and sometimes led to the brink of a military intervention with incalculable consequences for the region. However, this also elicits resistance in Saudi Arabia, the other Gulf states as well as Israel, which fear the new supremacy of Iran and worry about their security.

The situation in Israel and Palestine

The unsuccessful end of the last round of Israeli-Palestinian talks on a two-state settlement in 2013 and the Gaza war in the summer of 2014 give us great cause for concern. The repeated escalation of violence has again demonstrated how easily a new eruption of violence can arise and how urgent a negotiated solution between Israelis and Palestinians is.

The results of the fighting are horrifying. The United Nations speak of 2205 dead on the Palestinian side, 1483 of them civilians, and 71 dead on the Israeli side, four of them civilians. More than 10,000 people were injured in the Gaza Strip, half a million people were internally displaced. 140,000 houses were partly or completely destroyed, as well as schools, hospitals, the only power plant and large parts of the public infrastructure. The extent of the violence and destruction is shocking. International law was violated on both sides, international investigations were hindered. Hamas actions contrary to international law, e.g. when UN buildings are misused in the conduct of war, do not release the Israeli military from its responsibility under international law to protect Palestinian civilians and avoid the destruction of civilian infrastructure.

Although the number of civilians killed is significantly lower on the Israeli side due to the Iron Dome, the traumatising effect that the shelling from Gaza has in Israel is severe. The arbitrary shelling of the Israeli civilian population by militant groups in the Gaza Strip that has been taking place for years with varying intensity is also a clear violation of international humanitarian law. On the Palestinian side, too, the war has led to an extensive traumatising, particularly of children, many of whom had to live through already the third war in only seven years.

The Gaza war also had repercussions in the states of the EU. This included an alarming extent of antisemitism expressed both verbally and in physical attacks. Alliance 90 / The Greens condemn all anti-Semitic and racist statements. Demonstrations saw violence and statements

that were directed not only against Israeli government policies but also against Israel's right to exist and against Jewish citizens in Europe. This deeply shocked us. Justified criticism of concrete policies of the parties to the conflict must not be used as a pretext for group-focused enmity and for fundamentally calling into question Israel's existence. This must be opposed resolutely and across party lines – not only in the interest of our Jewish citizens but also in the interest of a democratic political culture. Just as we stand against stigmatisation of and threats to Jews, we also stand against stigmatisation of Muslims and Arabs.

The last Gaza war also swelled the ranks of the more uncompromising groups on both sides. On the Palestinian side, it widened the rift between the political factions. President Abbas is increasingly acting on his own and undemocratically, while Hamas in turn holds on to power in Gaza in an authoritarian way but is being challenged by yet more radical groups, some of which pledge allegiance to ISIS.

Israeli society is increasingly polarised. Peace-oriented groups were threatened and vilified during the third Gaza war. Antidemocratic tendencies have increased to an alarming extent. Right-wing nationalist violence against minorities, be they Muslims or Christians, or the African refugees in particular need of protection, is on the rise in Israel. A number of legislative proposals aims to severely restrict the work of non-governmental organisations from the left-wing, democratic spectrum, including by depriving them of their financial basis. Critical creative artists are pressured by threats to withdraw their funding.

The voices on both sides that question whether a two-state settlement is even still feasible and desirable have entered the mainstream.

The Israeli parliamentary elections of March 2015 have led to a government of right-wing nationalist and ultra-Orthodox parties. Their positions on a two-state settlement range from scepticism to open rejection. Serious diplomatic initiatives are not to be expected in the foreseeable future. Regardless of the dismissive statements of Prime Minister Netanyahu during the election campaign, which he has meanwhile partly taken back, the signals are clear: The current government rejects a Palestinian state, is continuing the construction of settlements in violation of international law and is thereby preventing a viable Palestinian state.

On the Palestinian side, despite the continued formal existence of the unity government of Fatah and Hamas, the enmity between the parties is not really being overcome. The Palestinian unity government is not able to clarify how it intends to overcome the split between the West Bank and the Gaza Strip and take over responsibility for security at the borders of the Gaza Strip and in the territory of the Gaza Strip, and when it will hold the presidential and parliamentary elections.

Both the Palestinian Authority in the West Bank and the ruling Hamas in the Gaza Strip restrict the rights to freedom of expression, freedom of press and freedom of association and assembly. Palestinian security forces carry out arbitrary arrests against critics and against supporters of the opposing political camp. Prisoners in the West Bank and in the Gaza Strip are subjected to torture and abuse. Hamas continues to apply the death penalty and in the Gaza war 2014 executed 22 Palestinians accused of collaboration with Israel.

One year after the last confrontation between Hamas in the Gaza Strip and Israel, the humanitarian situation of the people in Gaza continues to be catastrophic. The denial of a life in dignity through the results of the war of 2014 and the continued blockade by Israel and Egypt and the concomitant unemployment, poverty and desperation are the everyday reality of most of the people in the Gaza Strip. Despite international donor commitments, reconstruction has still not really begun. The commitments of the international donors' conference were not

honoured. We want a strengthening of the efforts of the international community for reconstruction of the demolished areas of the Gaza Strip. Above all, the Gaza Strip needs a political solution, which has not been negotiated after the war beyond a ceasefire that is not sustainable in the long term. In this context, we continue to support the offer by Germany, France and Great Britain to Israel and Egypt of participating in monitoring the borders of the Gaza Strip in order to be able to guarantee the freedom of movement of goods and persons required by international law and the economy.

Due to this frozen situation, Palestinian civil society has increasingly begun to develop and initiate alternative strategies for ending the occupation. While the Palestinian Authority chooses the path of internationalising the conflict through the United Nations, a relevant part of Palestinian civil society supports a strategy that aims to put pressure on Israel. Palestinian-Israeli projects that do not work towards an end of the occupation are rejected as “normalisation”. The movement for international boycott, divestment and sanctions (BDS) is gathering momentum internationally.

While we do not deny the right of Palestinian civil society to make its own decisions on non-violent strategies for ending the occupation, Alliance 90 / The Greens reject a boycott of Israel as an instrument of German and European policy. We want to continue to work with all groups in Israel that stand against a continuation of the occupation and for a two-state settlement. Moreover, we regard it as a harmful political mistake that the BDS movement deliberately leaves open the question how the Israeli-Palestinian conflict is to be settled. It thereby exposes itself to the suspicion of not wanting the State of Israel to continue to exist and intentionally or unintentionally contributes to an undermining of the two-state perspective.

The roles of Germany and the EU

In the 51st year of German-Israeli diplomatic relations, Alliance 90 / The Greens confirm the inalienable commitment of German policy to stand up for Israel’s right to exist and security. At the same time, the Palestinians also have a right to security and to an independent, sovereign, viable and democratic state. These two aspects are not opposed to each other; they are mutually dependent. In actual fact, due to the permanence and entrenchment of the Israeli occupation since 1967 and the gradual decay of the Palestinian Authority that was once envisaged as the foundation of the Palestinian state, a kind of one-state reality is emerging on the ground, in which the Palestinians are subject to occupation and military law and are permanently denied many of their rights.

In view of the failure of all efforts at negotiation so far and the domestic developments on both sides, it is urgently necessary to rethink the current policies that have so far not been able to achieve the two-state perspective. The largely enduring ceasefire must be used as an opportunity. An active stance must urgently be taken against the dwindling chances of the realisation of a two-state settlement. This involves positive and negative incentives.

It is not enough to merely verbally denounce the Israeli settlement policy. The EU and the German government must make it clear to the Israeli government that they are not willing to directly or indirectly support a continuation of the settlement policy that violates international law and a policy of progressive factual annexation of the West Bank and continued control over East Jerusalem as well as the permanent denial of the human and civil rights of the Palestinian population. When they rightly emphasise the unconditional support for Israel’s right to exist, it must be clear that this relates only to the State of Israel in the borders of 1967.

The population of the Gaza strip must have the opportunity for peaceful economic and social development. The almost two million people have been suffering for years under the blockade

by Israel and Egypt, recurring wars and the authoritarian rule of Hamas. The comprehensive blockade of the Gaza Strip must be lifted – while safeguarding the legitimate security interests of Israel and Egypt. Both neighbouring states, Israel and Egypt, bear responsibility in this regard.

The EU and the German government must offer the prospect of extensive support when constructive steps towards peace are taken, and at the same time impose negative consequences for violations of international law on both sides and steps that are detrimental to the peace process. The combination of the broad package of support that the EU offered to the parties to the conflict in December 2013 in case of a peaceful settlement with the guidelines on excluding the settlements from EU funding and the decision of the European Court of Justice on February 25, 2010 that the goods produced in the settlements in violation of international law are not subject to EU tariff preferences were a first step in this direction. However the EU must stop applying a double standard in this regard. While it quickly adopted sanctions against products from Crimea, it has long been profiting from the occupation of Western Sahara. The same principles must apply to all trade with territories that are occupied by other countries in violation of international law.

Two decades of failed negotiations indicate that mediation in the framework used so far will not be successful by itself. It is time for the EU to take more than a mere supporting role in the negotiation process and to hold all parties to the conflict to their responsibility. The Middle East Quartet as a multilateral forum must finally take responsibility and actively develop joint policy proposals of all four actors. A revival of Israeli-Palestinian peace negotiations should also draw on the “Arab Peace Initiative” adopted in 2002 by the Arab League. This means that for a peaceful solution the neighbouring states of the region, such as Jordan, Saudi Arabia and others, should be involved. The United Nations should make every effort to promote this process through a Security Council resolution with clear parameters. Palestine’s desire to be admitted into the United Nations and its agencies and to join international treaties should be welcomed and supported as a multilateral, non-violent step towards subjecting the conflict to the rule of law. However, international support can only promote, not replace a peace settlement accepted by the parties to the conflict.

We call on the German government and the European Union

- to take a more active role in the efforts to settle the conflict between Israel and Palestine and to back the principles of the European Union, which were *inter alia* laid down in a draft Security Council resolution, with concrete measures, in particular against the settlement policy;
- to further substantiate the support offered for the implementation of a peace settlement, in particular to offer the prospect of covering a substantial part of the expected costs, and to provide concrete positive incentives for constructive steps in the peace process;
- to ensure, working together with the permanent members of the UN Security Council and possibly further actors, that the parties to the conflict are offered the perspective of comprehensive and reliable security guarantees in case of a peace settlement; if the parties so desire, Germany should give serious consideration to participation in the implementation of these guarantees;
- to accompany the Palestinian reconciliation process with concrete measures and demands on both sides;
- to revive the offer by Germany, France and Great Britain of support for border controls, to coordinate these with the Palestinian parties and to take a strong stand towards Israel and Egypt in favour of lifting the Gaza blockade – taking into account Israel’s

legitimate security interests – and to implement a corresponding arrangement based on the “Agreement on Movement and Access” concluded in 2005;

- to diplomatically and materially support the efforts to restore a physical connection between the Palestinian territories;
- to push for a prompt recognition of Palestinian statehood and for the two-state settlement, which should go hand in hand with the development of peace talks, as stated in the European Parliament resolution of December 17, 2014;
- to work for free and fair parliamentary and presidential elections to be held soon in all of Palestine, including East Jerusalem, to recognise the results and to actively support the Palestinian Authority in merging the administrations of the West Bank and the Gaza Strip, under the principles of the rule of law, the state’s monopoly on the use of force and an administration free of corruption;
- to actively push for an end of the Israeli policy of occupation and settlement vis-à-vis the Israeli government;
- to actively take a stand towards the Israeli government against the passing of any laws restricting the free and unhindered activity of non-governmental organisations in Israel and the occupied territories;
- to present and implement guidelines for uniform labelling of products from Israeli settlements in occupied territories that are imported into the EU, in order to coherently implement relevant EU law;
- to implement Resolution 25/28 of the UN Human Rights Council on the Israeli settlements in the occupied territories, particularly on advice to businesses on violations of law through the settlement policy, and to implement the existing draft for corresponding EU guidelines and make it binding for all member states;
- to implement the recommendations of the EU Heads of Mission Jerusalem Report 2012 on the settlement policy, in particular to prevent financial transactions that benefit settlement activities;
- to adhere to the European Code of Conduct for arms exports and the German guidelines on arms exports, also with respect to Israel. Arms delivered are solely to serve Israel’s legitimate right to self-defence under Article 51 of the UN charter. Arms exports to Israel shall no longer be approved if there are sufficient grounds to suspect that they are used in rights violations.
- to demand the cooperation of the parties to the conflict in investigating the charges raised by non-governmental organisations and UN commissions with respect to war crimes;
- to push for the adoption of a new resolution of the UN Security Council to define parameters for the solution of the conflict between Israel and Palestine and to request the UN Secretary-General to convene a summit meeting;
- to actively push for the implementation and the sustainable and consistent monitoring of the nuclear agreement with Iran in the framework of the 5+1 and the IAEA, and to support the efforts to create a zone free of weapons of mass destruction in the Middle East;
- to push for Iran to respect and protect human rights and also to recognise the State of Israel;
- to urge both the Iranian and the Saudi-Arabian governments to make compromises in settling the crises and conflicts in the region.