EUROPEAN UNION DIRECTIVE TO ENHANCE THE SOUTHERN NEIGHBORHOOD

17–20 November 2010

The European Commission, in order to advance European Union interests in the Southern Neighborhood, particularly in terms of nurturing relations with the Palestinian Authority (PA) to improve the plight of the Palestinian people, as well as ensuring environmental sustainability in the Mediterranean Sea, offers the following for approval.

Preamble

Whereas the European Union affirms its previous treaties and resolutions calling for the recognition of the plight of the Palestinian people as well as the continued effort to de-pollute the Mediterranean Sea.

1. A 2009 EU Progress Report concerning the growth of a democratic state within Palestine indicates that the governmental election procedures and judicial power under the authority of the Palestinian government do not adhere to international standards for democratic elections and fair trials. Corruption at all levels has weakened the government and without civilian and international intervention, the government will fail the people.

2. *The EU/Palestinian Action Plan* openly acknowledges the positive dialogue between the EU and PA. *The Action Plan* respects the autonomy of the Palestinian people as they work to establish their own democratic state, while simultaneously addressing the mutual desire of the EU and the PA to promote a stronger relationship. In accordance with *The Action Plan*, the EU wishes to promote specific civic rights such as freedom of speech, as well as to address numerous human rights violations.

3. The Israeli settlements in East Jerusalem exist in direct violation of the fourth installment of the *Geneva Conventions*. The presence of the Israeli settlements in East Jerusalem, as well as the Israeli and Egyptian blockade of the Gaza Port, has prevented any diplomatic progress between the Palestinian and Israeli governments.

4. *The Mediterranean Action Plan* (MAP) was implemented as a direct response to the high level of pollution in the Mediterranean Sea. The goals of this Action Plan are to address the pollution in a manner that ensures the ecological sustainability of the region for subsequent generations. The EU seeks to lead an effort among all pollution-affected countries. The supply and allocation of funds to addresses the de-pollution efforts will be a joint effort between the EU and all affected countries.

5. Mediterranean de-pollution efforts are being conducted under the umbrella program of *Horizon 2020*. This program seeks to control the top sources of pollution in the Mediterranean by the year 2020. One of the main goals of this initiative is to empower the individual affected nations to use their resources to reduce their pollution contribution to the Mediterranean.

I. EU and Palestinian Relations

A. Democracy and Rule of Law in Palestine

WHEREAS the EU and PA have recognized their political interdependence for the "establishment of an independent, viable, sovereign and contiguous Palestinian state, living side by side with the state of Israel in peace and security"

AND WHEREAS the PA does not exercise "exclusive governmental prerogatives" due to the ongoing Israeli occupation, and the progress of the Action Plan remains stagnant without the EU's involvement in political dialogue and reform

AND WHEREAS the EU recognizes that it is important to establish "a functioning judiciary and effective enforcement of legislation; [as well as] strengthening the rule of law... [and] organization of elections in the West Bank and Gaza Strip in accordance with International standards"

AND WHEREAS political parties must be protected by a legal framework, and registration for voter protection must be updated for "freedom of movement within the Palestinian Territory" to ensure the "independence of the elections commissions and a fair and free election process covering both general and local elections"

AND WHEREAS the 2009 Palestinian Progress Report states that "further development of the justice sector suffered as a result of the unclear mandates of key stakeholders in the judicial sector and the politicization of its leading institutions mainly the judiciary" and the "work of the Palestinian Legislative Council remained suspended as a result of the political split of Gaza and the West Bank"

AND WHEREAS democratic governance has been furthered hampered by the indefinite postponement of presidential and parliamentary elections [2009] and emphasis has been placed on the "need for civilian oversight and accountability" in the 2009 Progress Report

AND WHEREAS the European Union commends the establishment of four "new model courts" in the West Bank that have helped to increase public trust in the Palestinian judiciary in addition to attacking the backlog of 60,000 cases in the Palestinian territory

BE IT HEREBY RESOLVED that the EU will seek to aid the PA in drafting legislation that

i. Encourages civilian participation within the government through protection of basic freedoms such as freedom of expression.

ii. Makes the legislation a priority in the Action Plan by placing it as one of the three-year benchmarks, with a ten-year oversight from the EU to remind the Palestinian Authority to follow the basic principles outlined in the legislation.

BE IT FURTHER RESOLVED that to promote free elections, the EU will seek to aid the PA in organizing equitable, transparent elections that adhere to international standards by

i. Constructing a legal code for the consideration of the PA to protect minority voters and political parties.

ii. Working with the permission of the PA to register voters in Palestine in a manner that conforms to international standards.

B. Human Rights in Palestine

WHEREAS the EU and PA have recognized that there needs to be strong language that guarantees freedom of speech, press, and assembly, including the "unhindered functioning" of a pluralistic media system in addition to the Basic Law

AND WHEREAS it has been agreed that an Action Plan must be developed to implement the culture of non-violence while strengthening the policies for legal redress against violations of human rights and civil liberties

AND WHEREAS human rights abuse claims have continually been made throughout the reporting period, including deaths linked to family disputes, honor killings and rivalries; and setbacks are rooted in the intra-Palestinian conflict and Israeli actions

AND WHEREAS there has been a National Committee established to combat violence against women under the leadership of the Ministry of Women's Affairs to nationally strategize the promotion of women's rights and gender equality

BE IT HEREBY RESOLVED that in order to battle human rights abuses, the EU wishes to aid the PA in drafting legislation that will

i. Strengthen the humanitarian responsibilities of the PA as a step on the path to statehood.

ii. Address torture and unequal treatment of women under PA law.

iii. Encourage women to be pro-active in the government by coordinating with EU progressive women's groups to create a stronger base and support.

C. Economic Development of Palestine

WHEREAS the EU-Palestinian Authority Action Plan states that the PA welcomes EU initiatives to aid in economic and political relations, and both parties are determined to make use of this relationship in order to improve relations and promote stability

AND WHEREAS the limitations of the Palestinian Authority will depend on the ongoing Israeli-Palestinian conflict and continuing occupation

AND WHEREAS the implementation of the *Euro-Mediterranean Interim Association Agreement* on trade and cooperation between the European Community and the Palestinian Liberation Organization (PLO) has benefited the Palestinian Authority, which considers the importance of the relationships between the Community and the Palestinian people of the West Bank and Gaza Strip

BE IT HEREBY RESOLVED that the European Union will

i. Support the Palestinian Authority's national reforms and its further integration into European economic structures.

ii. Propose a free trade agreement with the PA.

iii. Extend trade and economic relations in order to increase European investments in Palestine.

D. European Neighborhood Policy (ENP) Action Plan concerning Palestine

WHEREAS the aspects of the ENP that deal with the PA are part of the European Union's political and economic reform agenda, and the strength of the relationship will depend on the degree of commitment to common values

AND WHEREAS the ENP will reinforce the political and economic interdependence of the European Union and the PA in preparation for a future Palestinian State, with a shared responsibility for conflict prevention and resolution in order to promote stability and security

BE IT HEREBY RESOLVED that the European Union will

i. Make regular amendments to the Action Plan on a joint basis, updated to reflect the current economic and political climate in Palestine.

ii. Create a joint EU–PA team for the purpose of advancing and monitoring the implementation of the EU–Palestinian Action Plan.

B. A Two-State Solution

WHEREAS the Israeli military operation commencing in international waters on 31 May 2010 against an aid flotilla destined for the Gaza Strip resulted in the loss of nine lives

AND WHEREAS the EU recognizes, in a statement given at the United Nations by Pedro Serrano, Acting Head of the Delegation of the European Union, that the blockade of the Gaza port, which led to the 31 May incident, is not an isolated crisis, but a symptom of "the unsustainable situation in Gaza"

AND WHEREAS according to a 2009 EU memo "The EU's objective is a two-state solution with an independent, democratic, viable Palestinian state living side-by-side with Israel and its other neighbours"

AND WHEREAS the EU is Palestine's largest financial and political supporter, and the political success of Hamas in Palestine has resulted in the Israeli- and Egyptian-enforced punishment of the Gazan population

AND WHEREAS the EU has deemed it imperative that all Israeli-imposed bans on the movement of goods and services in and out of Palestine be lifted for the welfare of the Palestinian economy and people

AND WHEREAS the EU considers the Israeli settlements built within East Jerusalem in direct violation of international law and according to EU Commission vice president Catherine Ashton, their existence undermines "current efforts for restarting peace negotiations," constitutes "an obstacle to peace," and threatens "to make a two-state solution impossible"

BE IT HEREBY RESOLVED that in order to facilitate a two-state solution between Israel and Palestine, the EU will

i. Draft a mandate that requests that the Israelis and Egyptians cease the blockade of the Gaza Port.

ii. Draft a mandate that requests the vacation and demolition of the approximately 90 Israeli houses in the Al-Bustan/Silwan area that is next to East Jerusalem.

iii. Shift the diplomatic focus between the EU and the Palestinian governments to forge new relationships with Palestinian leaders who publicly support a two-state solution.

iv. Encourage the PA to respect Israel's legitimate security needs.

II. EU Policy Concerning the De-pollution of the Mediterranean

A. Managing Waste

WHEREAS the Horizon 2020 initiative was created by the Euro-Mediterranean governments (both EU and non-EU) out of the mutual desire to eradicate pollution from the Mediterranean by the year 2020

AND WHEREAS Horizon 2020 is one of thousands of ecological projects co-financed through the LIFE program, which is the European Commission's "environmental funding instrument"

AND WHEREAS the growing amount of waste—both industrial and domestic—has played a significant role in the pollution of the Mediterranean, and waste management is a priority for the Horizon 2020 initiative

AND WHEREAS the EU produces 3 billion tons of waste every year

AND WHEREAS according to the Organisation for Economic Cooperation and Development (OECD), European waste production has continues to increase significantly and the EU will produce 45% more waste by 2020 than it did in 1995

AND WHEREAS 67% of EU waste is currently disposed of in landfills, which take up "more and more valuable land space … [cause] air, water and soil pollution … [and discharge] carbon dioxide (CO_2) and methane (CH_4) into the atmosphere and chemicals and pesticides into the earth and groundwater"

AND WHEREAS the remaining 33% of waste is incinerated, which also contributes to air pollution

AND WHEREAS in light of the OECD's findings, and under the directive of Horizon 2020, the European Commission has redefined the EU's waste management program to focus on initiatives that will reduce the amount of waste, promote recycling, and develop better waste disposal methods

AND WHEREAS directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 has determined that waste prevention is the most critical component of a waste management program

BE IT HEREBY RESOLVED that the EU will

i. Require all EU member countries to reduce their waste contribution to landfills by 15% by 2020.

ii. Impose an annual levy on countries that fail to meet this goal of €5 for every cubic meter of landfill waste over their allowance.

iii. Contribute any money generated by the levies to the general budget of the LIFE program.

iv. Impose a supplementary tax, starting in 2011, on any county that exports its waste to a landfill or incinerator outside of the EU, of €2 for every cubic meter of waste removed from the EU.

v. Limit all EU member countries to the operation of one waste incinerator per 60,000 people by 2020, and require the dismantlement of any additional incinerators by 2022.

B. Mediterranean Action Plan (MAP) and the Barcelona Declaration

WHEREAS the Barcelona Declaration adopted at the Euro-Mediterranean Conference from 27-28 November 1995 states that environmental cooperation will focus on "preventing and combating air pollution and pollution in the Mediterranean Sea"

AND WHEREAS there will be the "reinforcing regional and sub- regional cooperation and strengthening coordination with the Mediterranean Action Plan [MAP]"

AND WHEREAS member states are required to participate in funding, supporting, and coordinating investments toward reaching the goal of "preventing and combating air pollution and pollution in the Mediterranean Sea"

AND WHEREAS the Mediterranean Sea significantly affects the following EU member states and neighboring states:

Cyprus, France, Greece, Italy, Malta, Slovenia, Spain ,Albania, Algeria, Bosnia/Herzegovina, Croatia, Palestine, Egypt, Israel, Lebanon, Libya, Monaco, Morocco, Syria, Tunisia, and Turkey

BE IT HEREBY RESOLVED that the EU will provide support to Cyprus, France, Greece, Italy, Malta, Slovenia, and Spain in order to address the pollution issues in the Mediterranean by

i. Creating an Action Plan to address the de-pollution of the most severely polluted areas of the Mediterranean.

ii. Contributing €0.50 in EU funds for every €1 spent on de-pollution efforts by individual affected EU member states.

C. A Framework for the De-Pollution of the Mediterranean Sea

WHEREAS the January 2008 report on *The Elaboration of a Mediterranean Hot Spot Investment Programme* found that "More than half of urban areas on the Mediterranean with a population over 100,000 do not have waste water treatment plants and 60% of the wastewater produced in these areas is directly discharged into the sea" and "more than 80% of landfills in southern and eastern Mediterranean countries are not monitored"

AND WHEREAS according to *The Union for the Mediterranean* "De-pollution of the Mediterranean" is one of the founding goals of Union for the Mediterranean, the successor to the Barcelona Process

AND WHEREAS the well-being of all EU member states is dependent upon the health of the Mediterranean Sea for both commercial and cultural reasons.

BE IT HEREBY RESOLVED that the member states of the European Union will

i. Hold meetings with the countries of the Euro-Mediterranean Partnership to determine environmental policy in the Mediterranean, foster cooperative efforts among the individual countries, and raise awareness about issues surrounding the de-pollution of the Mediterranean.

ii. Phase out the discharge of all untreated industrial and agricultural waste into the Mediterranean Sea by 2020.

iii. Create individualized plans for each country that is directly affected by Mediterranean pollution.

iv. Create a "funding committee" to provide recommendations as to which de-pollution projects are most worthy of EU funds.

v. Create a research fund to be administered by the Euro-Mediterranean Partnership, with 5% of the overall budget of the partnership allocated for research purposes.

vi. Create a department within the Euro-Mediterranean Partnership tasked with establishing contacts with the NGO community and the private sector to foster cooperation among all actors who will work towards the common goal of sustainable development of the Mediterranean.

BE IT FURTHER RESOLVED that the European Union will work with the Euro-Mediterranean Partnership to assess the impact of joint de-pollution efforts among member states by

i. Creating an oversight body, under the umbrella of the Euro-Mediterranean Partnership, to assess the impact and efficiency of projects undertaken by affected member states.