



# EUROPEAN PARLIAMENT

## DELEGATION TO OBSERVE

### LEGISLATIVE ELECTIONS IN PALESTINE

*(24-26 January 2006)*

Report by  
**Mr Edward McMILLAN-SCOTT,**  
Chairman of the delegation

- Annexes:**
- A. List of participants
  - B. Programme
  - C. Preliminary statement of the EU Election Observation Mission (26 January 2006)
  - D. EP resolution on the result of the Palestinian elections and the situation in East Jerusalem (2 February 2006)

## **Introduction**

Following the receipt of an invitation sent by the Palestinian Authority to the European Parliament on 30 March 2005, the Conference of Presidents authorised a 30-member election observation mission to monitor the legislative elections due to be held on 25 January 2006.

The decision to send such a large delegation was taken in light of the political momentum that is in evidence in the Middle East and so as to include all the political groups represented in the European Parliament. Also, because the work of the delegation sent one year before to observe the presidential elections was greatly appreciated by the parties concerned and added value to the work of the overall EU EOM, the efficiency of such a delegation was another important reason that motivated this decision.

The list of Members who took part in this delegation is attached in Annex A.

A European Union Election Observation Mission, led by Ms De Keyser, was set up to observe the elections in Palestine. The European Parliament ad hoc delegation and the EU-EOM, as is normal in these situations, worked in close cooperation.

Before leaving for Palestine the delegation met three times in order to decide on its chairmanship and to establish a programme for the observation of the election. The delegation sent to observe the legislative elections decided to keep the same arrangement as that adopted for the presidential elections in January 2005 by reappointing Mr McMillan Scott as Chair of the delegation and Ms Pasqualina Napoletano as Vice-Chair.

At its meeting on 14 December the delegation exchanged views on the situation in Palestine with Ms Leila SHAHID, newly appointed representative of the PA to the European Union. The delegation had a second meeting on the 10 January, when Ms De Keyser briefed the members of the delegation on the security situation in the territories and the activities of the EU EOM mission in this environment.

The delegation had a final meeting before its departure, on 17 January, in order to discuss the last details concerning the programme and the deployment.

## **Programme of the election observation mission<sup>(\*)</sup>**

### Monday, 23 January – Jerusalem

*9h00-12h15*

**Ms Veronique de Keyser, Chief Observer of the EU EOM** welcomed the European Parliament delegation and underlined that with their arrival the EU mission could be considered as complete.

Ms Veronique de Keyser described briefly the activity of the EU EOM. The Chief Observer emphasized that the mission had a good level of cooperation with both the Israeli and the

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<sup>(\*)</sup> Programme in Annex B

Palestinian side. The specific problem of this observation mission was that there was a permanent danger of there being no election at the end of the campaign.

The Chief Observer described the special situation of voting in East Jerusalem. The outcome of the recent negotiations was that 6 300 voters could cast their votes in 5 post offices in East Jerusalem.

Ms Veronique de Keyser added that the whole process of preparing the elections had been very well taken care of by the Central Election Commission, which had proved to be an independent and efficient body.

Concerning security, it was underlined that the situation was less volatile at present. The Palestinian Authority had announced that the international observers were “guests of the country”. Still, for the Gaza deployment supplementary safety measures were recommended. Nablus could also be a sensitive area, therefore EU EOM security recommendations should be strictly followed by the observers going to this district.

The vote count might also be a sensitive moment as the results could lead to violence.

**Mr John Kjaer, Head of ECTAO** noted that these legislative elections were different from the previous ones in the sense that these elections were being conducted under a new election law that introduced a new mixed voting system plus various other changes. At the same time, at the political level, reform of the Palestinian leadership could be expected due to the fact that Fatah and Hamas were two strong competitors, running against one another for the first time. The timing of this election was also very important as the Israeli Parliamentary Elections would take place in the near future.

At the technical level well-organized elections were to be expected. The Central Elections Commission was a capable body and the law on elections had been amended and positive changes introduced. Nevertheless the security situation remained the most sensitive issue on Election Day, and could affect the proper conduct of voting, Mr John Kjaer added.

Regarding East Jerusalem, Mr Kjaer emphasized that even though there was a political agreement, issues that were still ambiguous could be underlined, as for example the presence of Hamas candidates on the ballot papers.

The Head of ECTAO mentioned that the process of voting by the security forces was in progress. If it remained peaceful up to the end, this would be a positive lead-up to Election Day.

**Mr Leonard Moll, EU Presidency, Head of the Austrian Representative Office**, stated that at present could be witnessed a broad reconfiguration of the Palestinian legislative system. These elections were an important phase on the Road Map. The EU considered these elections as an important step in the consolidation of Palestinian political life.

Mr Leonard Moll noted that the preparations for these elections took place in a climate of uncertainty. The political conditions for having the elections had been fulfilled as Hamas had signed the Code of Conduct and elections in East Jerusalem would take place.

**Mr Richard Chambers, Deputy Chief Observer of the EU EOM** explained the electoral system, the political landscape with the parties and their respective lists.

The elections concerned a total of 1.3 million voters, not counting approximately 110.000 eligible voters in East Jerusalem. For East Jerusalem, 6300 out of these 110.000 voters would be

able to vote in postal offices, while the others would have to vote in 52 polling stations in the West Bank, showing their Blue Card (Jerusalem resident card). The rationale behind choosing these 6300 people was not clear, but probably related to the capacities of the postal offices for processing people in one day.

In total, 314 candidates from 11 lists were standing for election. Whereas on the national lists, a quota ensured a 22% representation of women, only 3 % of the 414 district list candidates were women.

Hamas had nominated Christian candidates for the election lists, Mr Chambers added.

**Mr Giuseppe Millazzo, media expert**, explained the media system in Palestine as a mixed system of state companies and private media of which around 48 operate on a local level. For 35 % of the citizens, TV is the main source of information. The speaker highlighted the power of Pan-Arab media (Al-Jazeera is watched by over 50%).

The CEC had negotiated free of charge coverage with the media beforehand. The number of paid ads was not fixed. One TV Station (Watan) was indirectly owned by a candidate (Mustafa Barghouti).

The main symbols used during the campaign relied on the liberation of the country. Hamas had launched a TV station during the campaign, presumably without license. Hamas hadn't preached hatred during the campaign, but said they were against Oslo agreements. In order to illustrate the high impact of Pan-Arab media, the speaker pointed to the interview with a jailed Marwan Barghouti broadcast on Al-Jazeera.

#### Briefing on voting in Jerusalem

**Mr Anwar Al Darkazally, Legal Advisor, PLO Negotiating Support Unit** explained that the actual election procedure in Jerusalem was based on the 1996 election agreement with the Israeli authorities, which at the time allowed only 5000 out of 100 000 Jerusalemites to vote at the post offices in Jerusalem. The rest was supposed to vote in the areas surrounding Jerusalem. This time 6300 were being allowed to vote. Due to the lack of voter registration it had been decided to distribute 6300 tickets. During the last elections, however, only 1200 voters had showed up as they had been afraid that their names would be communicated to the Israeli authorities.

#### Panel Briefing from Civil Society

**Dr Mahdi Abdulhadi, Passia**, described the situation of the Palestinians: out of 10 million Palestinians, 5.1 million lived in Palestine, but only 1 million were entitled to vote. He described the different towns in the West Bank as the Jenin, Nablus, Tulkarem, Rammallah, Bethlehem, Jericho and Hebron prisons, as the population was not able to freely communicate. 120 000 Jewish settlers were occupying half the country. He described the Geneva accord as an insult: the agreement had been welcomed by the Diaspora, which had no idea of the situation on the ground. Besides this, the question of Jerusalem had not been solved.

**Mr Abdularahman Abu Arafah, from the Arab Thought Forum**, made reference to the Code of Conduct that had been signed by all the political parties running in the elections, a fact that represented an important political step forward. The Code of Conduct had become an official Palestinian document, Mr Arafah added.

Mr Arafeh mentioned that the Arab Thought Forum had suggested the formation of a National Committee, composed of 260 representatives of all political parties that would monitor the elections and report on any violations of the law.

Mr Arafeh explained that the Arab Thought Forum was interested not only in the elections, but also in the activity of the new parliament and in the National Agenda that the new PLC would announce.

**Mr Ayman Rabi, representing the Palestinian Non-Governmental Organisations**, explained the confusion produced by the advice given by USA and EU representatives on the issue of participation in the elections. Mr Rabi argued that the Palestinian people should be able to exercise their rights in the elections, and not have to worry about who would come to power. Mr Rabi added that the Palestinian people's understanding of democracy was that everyone should feel free to elect whom he/she preferred. The winning party, whoever that would be, would act in an environment regulated by the rule of law.

Mr Rabi made reference to the activities of the Palestinian Non-Governmental Organisations aimed at increasing the awareness of women and young people about the importance of voting.

The NGOs were interested in facilitating the movement of the observers on Election Day. Therefore several field coordinators had been appointed in different districts. The field coordinators would also be ready to provide information for the international observers during Election Day.

#### Meetings with candidates

**Ms Jihad Abu Zneid, Fatah candidate**, presented the challenges faced by the East Jerusalem electorate in these elections: the existence of the wall in the city, the limited number of voters who would have the possibility of casting their votes at the 5 post offices, the 30 military check points surrounding the city, and the fact that voters not among the above-mentioned 6 300 would have to pass through the check points and vote in the neighbouring areas.

The candidate emphasized the main points of her campaign: (i) her aim of bringing awareness to women on their role in society, (ii) making her message reach all women, including those from the villages, (iii) convincing the voters in Jerusalem of the importance of taking part in the elections.

Concerning Hamas, Ms Abu Zneid said that, if they won the elections, their performance in the internal political arena would depend on the international engagement that they would take.

#### **Tuesday, 23 January – Ramallah**

#### Meetings with candidates

**Mr Qais Abu Layla, from the Alternative Coalition**, emphasized the sensitive situation of East Jerusalem from the electoral point of view. The candidate mentioned none of the candidates from the different parties had the chance to conduct a real campaign in East Jerusalem. Besides Hamas candidates, other candidates had been harassed as well.

Mr Layla explained that the lists of the Alternative block reflected a coalition between three parties: the People's Party, the Democratic Front for the Liberation of Palestine and the

Palestinian Democratic Party. The belief of the Alternative block is that a third force is needed to act as a balancing factor on the political stage and to help create a national consensus.

The general goal of the candidates from the Alternative block is to consolidate the political system on a democratic basis. Concerning the negotiations with Israel, Mr Layla stated that their aim is the existence of two states with the borders from 1967 and the respect of the refugees' rights in accordance with international standards.

**Mr Bassam Al-Salhi, from the Alternative Coalition**, expressed his regret that this meeting could not take place in East Jerusalem, the capital of the Palestinian territories, and emphasized the difficult situation of the city.

Mr Al-Salhi made reference to the incidents that had occurred at the Alternative Coalition's offices. The offices had been searched several times by Israeli forces; all the materials found were considered prohibited propaganda and the staff had been arrested.

The candidate pointed out the main objectives of the Alternative Coalition's political platform: a peaceful solution to the Israeli-Palestinian conflict, the eradication of corruption, lowering the unemployment rate, increasing respect for women's and the young people's rights and the attainment of a parliamentary rather than a presidential political regime.

**The candidate from the Change and Reform Party, Mr Mahmoud Ramahi**, explained the obstructions that the Hamas candidates had had to face during the campaign: (i) Javier Solana's declaration that the EU would stop aid to Palestine if the Hamas party were elected, (ii) the ban against campaigning in East Jerusalem for Hamas candidates, (iii) the lack of freedom of movement between the West Bank and Gaza.

The candidate accused Fatah of using state buildings and resources for their campaign. Mr Ramahi emphasized Hamas' determination to participate in these elections until the end, despite all the obstacles. Mr Ramahi added that the occupation of Palestine must end and that therefore Hamas had to continue its political and military resistance.

**Mr Ziad Dayyeh, Change and Reform Party**, made reference to the Oslo agreements and explained that Hamas does not recognize these agreements as they do not allow for the existence of a Palestine state and for its liberation.

Mr Dayyeh emphasized that at the negotiations with Israel representatives of all Palestinian factions should be present, including representatives of the Diasporas. The negotiations were not the exclusive responsibility of the Palestinian Authority and the Palestinian Legislative Council. Therefore Hamas believes that the Palestinian Liberation Organization must also have the right to be involved in the negotiations for an agreement with Israel. The situation of Palestinian refugees in Liban, Syria and Jordan had to be solved, the candidate added.

Mr Dayyeh argued that the EU and the USA should put pressure on Israel to withdraw from the Palestinian territories and not to put pressure on the weaker side, namely on the Palestinians, who are under occupation.

The candidate added that in these elections the people would have the possibility to decide whether they preferred an Islamic state or a civilian one.

**Ms Maha Naser and Ms Khalida Jarrar, candidates of the Popular Front for the Liberation of Palestine**, presented their political platform.

Concerning the Israeli-Palestinian issue, the candidates expressed their commitment to putting an end to this conflict, but not by complying with the Oslo Agreements and the Road Map. The candidates argued that the alternative could be an International Conference that would offer a new chance to end this conflict on terms that would respect the interests of both parties.

At the political level, the candidates made reference to their objective of increasing the respect for human rights, the rule of law and democracy in the Palestinian territories.

At the social and economic level, the priority of their party was to ensure the welfare of children and the elderly. Other priorities would be the implementation of an anticorruption law and the introduction of taxes on foreign imports.

The motto of the PFLP was to demonstrate that Palestine is not only Fatah and Hamas. Other real alternatives deserved to be considered.

**Mr Eyad Masrouji, Independent Palestine**, mentioned that these elections were different from the previous ones, as more parties were competing and, among them, Hamas was running for the first time.

Mr Masrouji emphasized the objectives of his party's platform: (i) increasing respect for the rule of law and reforming the judicial system, (ii) solving for the unemployment situation, (iii) investing in education.

#### Briefing on Election Administration and Observation

The delegation was briefed by Mr Ron Herrmann, Ms. Rebecca Cox, Mr Richard Atwood and Mr Juan Pedro Garcia, members of the core team of the EU EOM, on various aspects of the election process. Issues relating to voting procedures in East Jerusalem, the legal background and media coverage were passed during the debate, which took place after the presentations.

#### Central Electoral Commission meeting

During a technical briefing that was given to the delegation by a representative of the Central Electoral Commission, points relating to the number of voters (particularly in East Jerusalem) and voting procedures in general were clearly stressed and assimilated by the Members.

**Ms Hanan Ashrawi, Third Way**, made reference to the main goals of the Palestinian Authority, which would have to carry out the reform programme internally and to restore relations with the rest of the world.

The aim of the Third Way party during these elections was to bring to the PLC people who would affect the social and political system in a positive manner and to respond in this way to the wish of the people for representatives that carried out their responsibilities quickly and efficiently.

Ms Hanan Ashrawi emphasized that Third Way, for pragmatic and ideological reasons, rejected the opportunistic possibility of forming a government coalition with Hamas.

Concerning President Mahmud Abbas, Ms Ashrawi explained that, as the elected president of the Palestinian territories, his duty is to carry on his activities and to try to reinforce his position even if his position is weakened after the elections.

### **Election day**

The Members were deployed as follow:

- **East Jerusalem, Bethlehem and Jericho**  
Ms Pasqualina Napoletano, Mr Adam Adamou, Mr Valdis Dombrovskis, Mr José Garcia-Margallo y Marfil, Mr José Javier Pomes Ruiz, Mr Ulrich Stockmann, Mr Hannu Takkula, Ms Françoise Castex, Mr Pierre Schapira, Ms Roberta Angellili, Mr Geoffrey Van Orden, Mr Mario Borghezio
- **Ramallah**  
Mr Edward McMillan-Scott, Mr Bastiaan Belder, Mr Michael Gahler, Mr Poincias De Rossa
- **Gaza**  
Ms Luisa Morgantini, Ms Lilli Grüber, Ms Edith Mastenbroek, Mr Richard Howitt, Mr Alexander Nuno Alvaro
- **Hebron**  
Ms Jana Hybaskova, Ms Margrete Auken, Mr Ryszard Czarnecki, Mr Panagiotis Beglitis
- **Nablus, Qalqilya, Jenin**  
Mr Ignasi Guardans Cambó, Mr Giulietto Chiesa

### **Area of Jerusalem**

As was the case during the Presidential elections in 2005, the largest group of the delegation (12 Members) observed the elections in the area of Jerusalem, under the coordination of the Vice-Chairperson of the Delegation, Mrs NAPOLETANO.

The team had previously decided to enlarge their area of observation and to cover Jericho and Bethlehem as well in their observation.

Because of the situation in East Jerusalem (6300 people allowed to vote in 6 post offices), the observation in this area was crucial, even more important than in the previous year.

All teams noticed that the situation was quite tense, also due to the fact that there were several rumours about the presence of Hamas supporters (not allowed to campaign in Jerusalem). As in the previous year, only a very small number of those able to vote in the six postal centres exercised this right.

Despite the tense situation, voting procedures took place in a calm atmosphere.

Teams that observed elections in Jericho, Bethlehem and the immediate surroundings of Jerusalem noted that the elections were well organized and people took part in the process in an organized and calm way.



Campaigning around polling stations was noted, but without any clear sign that this could be seen as intimidation or that it raised tensions between supporters of different coalitions.

### **Area of Gaza**

#### **Deployment to Gaza**

A group of 5 Members (Luisa Morgantini, Lilli Gruber, Richard Howitt, Edith Mastenbroek and Alexander Nuno Alvaro), coordinated by Ms Morgantini and accompanied by one member of staff was deployed to Gaza from the afternoon of Tuesday 24 January to the morning of Thursday 26 January.

On the eve of Election Day, the Gaza team held meetings with Mr Nabil Shaat, Vice Prime Minister in the outgoing Fatah government and candidate in Gaza, as well as with Mr Mahmoud Al-Zahar, one of the leaders of Hamas in Gaza. These meetings were followed by an informal dinner with a dozen NGO leaders, political and human rights activists, among which were several women.

On Election Day the team split into two groups, which visited 10-12 polling stations each, in urban centres (even including a polling station in a prison) and in refugee camps. Given the strict restrictions of movement due to the security situation, the deployment was limited to Gaza City, Jabalya and Deir Al-Balah. Apart from the massive presence of both Hamas and Fatah militants - equipped with flags and electoral advertising - in front of all polling stations, elections took place in a free and fair way, were technically irreproachable and showed a great sense of civic responsibility from voters and of democratic commitment from the side of the people responsible for the polling stations. Ink and register problems observed in the January 2005 presidential elections were not an issue anymore. Informal and continuous exchange of views with voters who had just cast their ballots clearly indicated what the outcome of the elections would look like.

### **Area of Nablus**

The team covering Nablus, Jenin and Qalqilia was composed of two Members, Ignasi GUARDANS (ALDE, E) and Giulietto CHIESA (ALDE, I), accompanied by one staff member. Two local interpreters joined the team in Nablus.

The team left Ramallah on Tuesday at 3 p.m. Upon arriving in Nablus in the late afternoon, it was briefed by the local LTO and co-ordinated the deployment on Election Day in order to optimise the observation coverage.

At 7 p.m., it met with national observer NGOs including the Al-Lod Charitable Society Palestine which had previous experience in voter education and election observation from the Palestinian presidential and the municipal elections. In the discussion the Members focused on the prospects of the Reform and Change list representing Hamas, which had gained 13 out of 15 seats in the municipal elections.

Starting from 6.40 on Election Day, the team visited approximately 15 polling centres in Nablus City, Asira Ash Shamalya, Qabatya, Talluza, Jenin, Qalqilya and Azzun, splitting at each stage into two groups to ensure maximum coverage of polling stations. Stopovers at the wall around Qalqilya and in the Balata refugee camp in Nablus clearly illustrated living conditions in the West Bank under military occupation.

The team was well received in every place. It was impressed by the conscientiousness and dedication of the polling centre staff. Women were strongly represented among polling officials, some of them holding the position of head of centre. In some rare cases, staff were hesitant about divulging the number of people that had voted so far, but were quickly told by their supervisors that they were allowed to do so. Generally, observers for almost all competing lists as well as national observers were well represented in the polling stations. Technically, the teams suggested that casting ballots would have been easier if the two ballot papers had been in different colours, although no major confusion was observed. In front of the polling centres, party activists went on with the electoral campaign until the very last meters, but no intimidation of voters was noticed.

Turnout was high. The closing procedure and the subsequent counting of votes were observed in Nablus.

### **Area of Hebron**

The Hebron Area was covered by two teams: Ms Jana Hybaskova (EPP-ED) and Mr Ryszard Czarnecki (NI), joined by one member of the EP secretariat, and Ms Margrete Auken (Verts/ALE), joined by another.

On the morning of Election Day, the teams were briefed by the LTOs from Hebron on the election situation in the area. The LTOs mentioned that one issue specific to the Hebron region is its conservatism, expressed through a strong patriarchal social structure. For Hebron City, it was underlined that since early 1997 the city had been divided into two sectors: H1 and H2. H1 was controlled by the Palestinian Authority (PA) and H2 by the Israeli Defence Forces (IDF).

On deployment, the Members decided to visit the north of the region (Ms Margrete Auken) and both the H1 and H2 zones of Hebron City (Ms Jana Hybaskova and Mr Ryszard Czarnecki).

Ms Hybaskova and Mr Czarnecki visited 10 polling centres in zones H1 and H2, and also in Dura, a town close to Hebron City. The general assessment was that Election Day was calm and that the voting went smoothly in all the polling centres. The members of the election committees took their work very seriously and responsibly. The polling stations were not overcrowded. Members of polling committees responsibly explained the voting procedures to the voters, namely those related to the two voting lists. In all polling stations an impressive number of domestic observers was noted, representing NGOs, political parties and independent candidates.

For the closing and the counting procedures, the Polling Committee showed a strong command of the procedures and made the count fully transparent to the observers present. The team did not follow the transfer of the results to the District Electoral Office.

The team appreciated the lack of violence between the two main political factions and welcomed the peaceful and friendly atmosphere of the unofficial "prolonged"\* campaign during Election Day.

The team recommends for the next elections the use of normal polling booths to guarantee full secrecy to the voter. This time, the polling booths used were designed as small writing desks with cardboard in front of them. They offered some privacy, but not to the extent that a normal booth could.

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\* The Election Code stipulates that campaigning should end 24 hours before the voting starts.

No major fraud that could cast doubt on the credibility of the vote was noted. The team was also impressed by the high turnout of voters on Election Day.

### **Area of Ramallah**

In order to cover most of the Ramallah district the two teams established different itineraries including polling stations in Ramallah city, eastern and western regions of the district as well as two refugee camps situated in the area.

Women were highly represented amongst the polling staff.

Election observers from all the registered political parties were allowed and therefore also present in the polling stations.

Some campaign activities were observed in the vicinities of some polling stations, situated in sensitive areas (refugee camps). However, they were not of a scale to intimidate the smooth running of the elections.

During Election Day 22 different polling stations were observed, with a presence at the opening as well as at the closing and during the counting of the proportional vote. The polling day went without major problems.

The remarkable fact that in all the polling stations visited, the organisation was at a high level was stressed.

The overall conclusion the two teams would like to draw was that the parts of the legislative elections which were observed fully complied with democratic standards.

### ✓ **Debriefing on 26 January**

The delegation met for the general debriefing on the morning of 26 January. Following an introduction by the Chairperson, the coordinators of the 5 teams (Mrs Napoletano, Mrs Morgantini, Ms Hybaskova, Mr Guardans Cambo and the Chairman) briefly addressed other Members of the delegation, giving an overview of the most relevant points observed on Election Day by their teams.

After a general debate, the delegation agreed that the coordinators would provide the Chairperson with written remarks on their experience, which would be included in the report of the delegation.

The delegation debated and agreed on a first statement of the EP delegation sent to observe the elections in Palestine.

The text was inserted into the preliminary statement of the EU-EOM which was presented to the media at a press conference which took place at 13h.00 on the same day (Annex C).

## **Conclusions**

A few days after the elections, on 2 February, the EP voted on a resolution on the results of the elections in Palestine and situation in the Middle East, and the Council's decision not to publish the report on East Jerusalem (Annex D).

# EUROPEAN PARLIAMENT

## DELEGATION FOR THE OBSERVATION OF THE PALESTINIAN LEGISLATIVE ELECTIONS

25 January 2006

Participants list

<b>Members (27)</b>		<b><u>Group</u></b>	<b><u>Country</u></b>
Mr Adamos	ADAMOU	GUE	Cyprus
Mr Alexander Nuno	ALVARO	ALDE	Germany
Ms Roberta	ANGELILLI	UEN	Italy
Ms Margrete	AUKEN	Verts/ALE	Denmark
Mr Panagiotis	B EGLITIS	PES	Greece
Mr Bas	BELDER	IND/DEM	The Netherlands
Mr Mario	BORGHEZIO	IND/DEM	Italy
Mme Françoise	CASTEX	PES	France
Mr Giulietto	CHIESA	ALDE	Italy
Mr Ryszard	CZARNECKI	NI	Poland
Mr Proinsias	DE ROSSA	PES	Ireland
Mr Valdis	DOMBROVSKIS	EPP-ED	Latvia
Mr Michael	GAHLER	EPP-ED	Germany
Mr José Manuel	GARCIA MARGALLO	EPP-ED	Spain
Ms Lilli	GRUBER	PES	Italy
Mr Ignasi	GUARDANS CAMBO	ALDE	Spain
Mr Richard	HOWITT	PES	United Kingdom
Ms Jana	HYBASKOVA	EPP-ED	Czech Republic
Ms Edith	MASTENBROEK	PES	The Netherlands
Mr Edward	McMILLAN-SCOTT	EPP-ED	United Kingdom
Ms Luisa	MORGANTINI	GUE	Italy
Ms Pasqualina	NAPOLETANO	PES	Italy
Mr José Javier	POMES RUIZ	EPP-ED	Spain
Mr Pierre	SCHAPIRA	PES	France
Mr Ulrich	STOCKMANN	PES	Germany
Mr Hannu	TAKKULA	ALDE	Finland
Mr Geoffrey	VAN ORDEN	EPP-ED	United Kingdom

PPE-DE	Group of the European People's Party (Christian Democrats) and European Democrats
PSE	Group of the Party of European Socialists
ALDE	Group of the Alliance of Democrats and Liberals of Europe
Verts/ALE	Group of the Greens/European Free Alliance
GUE/NGL	Confederal Group of the European United Left/Nordic Green Left
IND/DEM	Independence and Democracy Group
UEN	Union for Europe of the Nations Group
NI	Non attached members

EUROPEAN PARLIAMENT  
DELEGATION TO  
OBSERVE THE LEGISLATIVE ELECTIONS  
IN PALESTINE

22nd-26th January 2006

Programme

Sunday, 22nd January

19.30      **AMBASSADOR HOTEL, JERUSALEM**  
Nablus Road, Sheikh Jarrah, Jerusalem  
Tel : 009 722 541 2222  
Fax : 009 722 582 8202

EP reception for other International Election Observation Missions, Non-Governmental Organizations and the media

Monday, 23rd January

09:00-09:30    Meeting with Ms Véronique De Keyser MEP  
Chief Observer, EU Election Observation Mission

09:30-11:00    Panel Briefing from EU Institutions  
  
Ms Véronique De Keyser MEP – Chief Observer, EUEOM  
Mr John Kjaer – Head, ECTAO  
Mr Leonhard Moll, EU Presidency, Head, Austrian Representative Office

11:15-12:15    Election and Political Background  
  
Mr Richard Chambers – Deputy Chief Observer, EU EOM (*Political overview*)  
Mr Giuseppe Millazzo – EU EOM Expert (*Media expert*)

14.00            Briefing on voting in Jerusalem  
  
Anwar Al Darkazally, Legal Advisor, PLO Negotiating Support Unit

14.30            Panel Briefing from Civil Society  
  
Dr Mahdi Abdulhadi – Passia  
Abdulrahman Abu Arafah – Arab Thought Forum  
Ayman Rabi – Palestinian Non-Governmental Organisations

Meetings with candidates

15:30            Fatah            :      Ms. Jihad Abu Zneid

**Tuesday, 24th January**

*Gaza team should leave on morning of 24 January*

Accommodation:  
**Beirut Tower**  
Gaza City  
Tel: 0599- 737000

8.00 Departure to Ramallah

***BEST EASTERN HOTEL, RAMALLAH***

Meetings with candidates

09:00 Alternative (DFLP) Qais Abu Layla and Bassam Al-Salhi  
09:30 Change & Reform ( Hamas ) Mr Mahmoud Ramahi and Mr. Ziad Dayyeh  
10:00 Abu Ali Mustafa (PFLP) Ms. Maha Naser and Ms. Khalida Jarrar

10:30 Independent Palestine Mr. Eyad Masrouji

11.15 *Break*

11:30-12:30 Briefing on Election Administration and Observation

Mr Ron Herrmann – EU EOM Election Expert  
Ms. Rebecca Cox – EU EOM Legal Expert  
Mr Richard Atwood – EU EOM Observer Coordination  
Mr Juan Pedro Garcia – EU EOM Security Expert

13:00-13:30 Meeting with Central Election Commission

Dr Hanna Nasir Chairman  
Mr Ammar Dwaik Chief Electoral Officer

14:00 Third Way Ms Hanan Ashrawi

*Afternoon* *Nablus - team will leave in the afternoon from Ramallah.*

Accommodation:  
**Al Qaser Hotel**  
P.O Box 166  
Omar Ben Al Khattab Street  
Nablus  
Tel:09-2385444  
Fax:09-2385944  
Email: [alqasr@netvision.net.il](mailto:alqasr@netvision.net.il)

*End of the afternoon* Meetings with EU EOM Long Term Observers in Deployment Areas

**Wednesday, 25th January**

ELECTION DAY

**Thursday, 26th January**

**AMBASSADOR HOTEL, JERUSALEM**

9.00-09.45 Delegation debriefing

13:00 Press Conference on the Release of the EU EOM Preliminary Statement  
Chief Observer EU EOM, Head of EP Delegation





**EUROPEAN UNION**  
**ELECTION OBSERVATION MISSION**  
**WEST BANK & GAZA 2006**

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**Annex C**

**STATEMENT OF PRELIMINARY CONCLUSIONS AND FINDINGS**

**Open and well-run parliamentary elections strengthen  
Palestinian commitment to democratic institutions**

Jerusalem, 26 January 2006

*The European Union Election Observation Mission (EU EOM) has been present in the West Bank and Gaza since 13 December 2005 following an invitation from the Central Election Commission (CEC) of Palestine. The Mission is led by Chief Observer Ms. Véronique De Keyser from Belgium, Member of the European Parliament. In total, the EU EOM deployed over 185 observers from 23 EU Member States as well as Norway, Switzerland and Romania. The observers were deployed throughout the West Bank and Gaza to assess the whole electoral process in the light of international principles for genuine democratic elections. The EU EOM was joined by a 27-member delegation from the European Parliament, the largest elected parliamentary observer delegation, led by Mr Edward McMillan-Scott MEP of the United Kingdom, who endorse this Statement. On election day, the observers visited over 800 polling stations in 14 of the 16 electoral districts in West Bank and Gaza to observe voting and counting. The EU EOM is currently observing the conclusion of the counting and result tabulation procedures and will remain in country to observe all aspects of the post-election process.*

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**Preliminary Conclusions**

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- The 25 January elections to the Palestinian Legislative Council (PLC) have so far marked another important milestone in the building of democratic institutions. These elections saw impressive voter participation in an open and fairly-contested electoral process that was efficiently administered by a professional and independent Palestinian Central Elections Commission (CEC).
- As with the 2005 presidential election, the Palestinian people have demonstrated an overwhelming commitment to determine their political future via democratic means, in spite of the uncertain conditions in which the elections took place: a background of delay, unacceptable levels of pre-campaign violence and an occupation that placed restrictions on the exercise of fundamental freedoms related to elections.
- Voting on 25 January proceeded smoothly and peacefully with an impressive turnout of 77 per cent of the total number of registered voters. Procedures were well-followed by CEC polling staff and domestic observers and candidate representatives were present in almost all polling stations. The procedures for counting were similarly well-run. Campaigning was seen to take place both inside and outside of many polling stations, often vigorously and in contravention of the law. There were numerous shortcomings with the voting arrangements in East Jerusalem.
- The CEC commands a high degree of public confidence. It maintained integrity in the face of intimidation, including attacks on its buildings and threats against staff, that sought to influence the candidate registration process. These attempts to pressure the election administration, all of which have gone unpunished, reflect a culture of impunity for militant groups that the Palestinian leadership must demonstrate more determination to end.
- Candidates from across the whole political spectrum participated in the elections. The campaign took place in a generally calm and positive atmosphere, with an absence of provocative rhetoric. However, restrictions by Israeli forces on the freedom of movement by candidates and voters reduced the scope for genuinely free elections. Arbitrary restrictions on campaigning and the freedom of assembly by candidates in East Jerusalem led to a number of arrests and prevented a proper campaign from taking place in the city.

- The instability and inter-factional violence which at times threatened to prevent the holding of elections, especially in Gaza, were unacceptable and have no place in a democratic process. In addition, threats made against international observers limited the levels of deployment that could be undertaken. However, the security situation improved during the two weeks ahead of election day.
- Despite established precedent and agreement that there is a right to vote by Palestinians resident in East Jerusalem, delays by the Israeli authorities in deciding whether voting would be allowed to take place within the city led to uncertainty which affected the whole election process. Although the decision to allow voting was welcome, it came very late and - as with earlier elections - electoral arrangements failed to provide reasonable, equal or proper conditions for voters from East Jerusalem.
- The provision for early voting by members of the Palestinian security forces reflected efforts to ensure greater stability on election day. However, repeated attempts by the Ministry of Interior and other Palestinian Authority (PA) institutions to change these voting arrangements represented an inappropriate level of political interference in the election administration. The early voting itself generally went well but with concerns related to transparency and the high proportion of assisted voting.
- AH electoral preparations by the CEC were finalised in good time, with the exception of delays caused by external factors beyond its control such as the voting arrangements over East Jerusalem. However, the transparency of the CEC decision-making processes needs to be further increased.
- Useful steps to improve the reliability of the voter register have been taken since the 2005 presidential election. The absence of Israeli permission to allow a register of voters in East Jerusalem was a serious obstacle to the process.
- The legal framework provided an effective basis for the conduct of democratic elections but lacks an appropriate enforcement mechanism and, while an innovative voluntary Code of Conduct for candidates enjoyed cross-party support, there were limited means to ensure compliance with campaign regulations or punish violations of the law.
- Candidates benefited from equal access to free airtime provided by public broadcasters in accordance with CEC regulations. In contrast, the news coverage by Palestinian TV was imbalanced in favour of Fatah while some private broadcasters offered unequal fees to candidates for paid advertising.
- Civil society organisations played an important role in these elections, especially in relation to election observation, the delivery of voter education and the development and oversight of the Code of Conduct for campaigning.
- Over 22 per cent of the candidates on national lists were women, a positive reflection of the new legal requirement to include a proportion of women candidates; however, only 15 women (3.6 per cent) took part as candidates in the district election, where there was no quota.
- These elections were also held under an occupation that, by its nature, cannot support the sustainable development of a democratic state. However, the Israeli authorities did take measures to facilitate the electoral process.
- These elections were notable for the participation of candidates linked to extremist or radical groups that have advocated violence as a means to solving the problems in the Middle East. It is hoped that this participation is an indication of the movement of such groups towards engaging in a truly democratic process, which would be in fundamental contradiction with violent activity.

The final assessment of these elections will depend, in part, on the completion of counting and tabulation, the announcement of results by the CEC, and the complaints and appeals process. The EU EOM will remain in country to observe all aspects of the post-election process and will publish a final report, containing detailed recommendations to improve the election process, within two months of the completion of the entire process.

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## **Preliminary Findings**

### **Background**

These second elections for the PLC were widely seen as a crucial step towards Palestinian institution building foreseen in the Road Map for a permanent solution to the Palestinian-Israeli conflict. The elections follow the January 2005 election of the President of the PA and a series of municipal elections that have been held since December 2004. Elections for the PLC, which last took place in January 1996, were initially envisaged to be held in 2000, but have been delayed a number of times. The fact that these elections have taken place is an important milestone in ensuring the new PLC will have greater credibility and a renewed popular mandate.

During this election process, many political events, some external to the election process, created uncertainty as to whether or not the election would go ahead. In particular, divisions within the Fatah ruling political party, coupled with pressures against the CEC and intransigence over the highly significant issue of voting in East Jerusalem created real possibilities that the elections would again be postponed. Commendably, repeated public commitments from key actors, significantly President Abbas, that the elections must be held as scheduled led to negotiated settlement of most problematic issues.

More widely, the general level of instability and inter-factional violence, particularly in Gaza, raised concerns as to whether conditions would permit the holding of democratic elections. Significantly, steps were taken by a number of actors, including militia groups, to ensure that the security situation improved over the campaign period which created a much calmer environment in the immediate run-up to election day. Threats against international observers, including those from the EU EOM, were made during the campaign period. All international observer groups, the CEC and some militia groups strongly condemned the threats that, to a degree, restricted the level by which observation could take place in certain areas.

### **Legal Framework**

A new election law, adopted in June 2005, provided a basis for the conduct of democratic elections. The law introduced a mixed electoral system whereby an increased number of seats are contested under separate proportional and majoritarian contests. In a positive development, the law has strengthened voter registration procedures, including a prohibition on the use of the civil register for electoral purposes, and established a requirement for a minimum proportion of women as candidates on national lists. However, the law also contains a number of shortcomings that should be addressed ahead of future elections. Significantly, the CEC lacks any enforcement powers or sanctions where the law is violated. In practice, this meant that the CEC used informal channels to address complaints it received, regardless of the seriousness of the allegation. Moreover, there are no effective or transparent procedures for the handling of complaints and the CEC is under no requirement to publish details of the complaints it receives. The legal framework also lacks detailed regulation of campaign financing and criteria for political party registration. There should be a review of whether absentee voting should be allowed for those unable to vote in their designated polling station on election day.

### **Election Administration**

The CEC and its Secretariat acted in an independent, professional and technically proficient manner that ensured all election arrangements within its control were organised in good time ahead of election day. The CEC showed a strong commitment to running the election to schedule and, in particular, achieved notable success in providing training of its 18,700 staff, re-organising its district and polling management structures and in running

an effective and inclusive voter education programme in association with a number of civil society actors. Moreover, the CEC showed itself to be capable of efficiently implementing arrangements for voting in East Jerusalem and for security forces that were agreed to at late notice.

Public confidence and trust in the independence of the CEC is deservedly high but its integrity and authority were challenged by direct attempts to influence its decision-making when its offices in several locations were taken over by armed groups during the candidate registration process and in the early stages of the campaign. Such acts of violence, intimidation or pressure against the CEC and its staff are unacceptable within a democratic election and yet, regrettably, the perpetrators of these acts - many of whom have links to Fatah - have gone unpunished, reflecting a wider culture of impunity amongst members of militia groups in Palestine in their use of threats and violence.

Separately, unwarranted political interference in the work of the CEC came from the Ministry of Interior which sought to change the arrangements for early voting by over 58,000 security forces so that voting would take place in barracks rather in the locations where they were registered to vote, as according to the law. Ensuring opportunities for voting by security forces had been a problematic issue in previous elections and the solution reached, whereby votes were cast in special polling centres in each district over 21-23 January, was an effective arrangement.

There was an open process for the nomination and registration of individual district candidates and candidates on national lists. A total of 728 candidates were included in the final lists of candidates and, in contrast to the 1996 PLC elections, provided voters with a real choice from across the Palestinian political spectrum. In a questionable decision, the Electoral Appeals Court (EAC) overturned a CEC decision and allowed an extension of the candidate registration period which allowed Fatah to merge two separate lists that had been submitted by its members into a single national list.

The EU EOM is aware that a number of complaints have been made to the CEC during the campaign period. The absence of a formal, transparent mechanism for handling complaints and acting against violations of the law has meant that, in most cases, no discernible action has been taken to enforce the law, although in two relatively minor cases, complaints have been passed to the Prosecutor's Office for consideration. The most serious complaint related to a letter from the Chief of Civil Police of the West Bank, sent to all district police chiefs, instructed police to vote in favour of the ruling party. This complaint was addressed only through an informal discussion between the CEC and the Office of the PA President.

### **Voter Registration**

A total of 1,332,499 voters were registered for this election, an impressive 21 per cent increase on the number of voters registered for the January 2005 presidential election that reflected the effective steps taken by the CEC to improve the accuracy of the voter register. Regrettably, public access to the final register of voters was restricted and it was not published by the CEC until polling day, although it was made available on request to candidates. It is unfortunate that, for security reasons, the voter register for the security forces was not made available at any stage thus preventing any independent cross-checking of the persons for double registration. The registration of an estimated 123,000 voters in East Jerusalem was not permitted by the Israeli authorities.

### **Campaign**

The campaign period was generally calm and saw a stabilisation in the general security situation that enabled active campaigning to take place. Overall, the campaign was notable for its positive tone and there were no reports of provocative rhetoric or hate speech. In comparison to the 1996 and 2005 elections, there was a notable drop in reports of the use of state resources by candidates in campaign. Despite many large rallies, there was no major incident related to the campaign, although two activists were killed in events that may have been election-related. There are several complaints that campaigning occurred inside mosques. An innovative and

useful Code of Conduct for campaigning was developed by civil society and, although voluntary, was supported by all eleven national lists.

However, the campaign was marked by restrictions on the exercise of fundamental freedoms that are related to elections caused by the continued occupation of Palestinian Territories. In particular, restrictions on the freedom of movement prevented many candidates from being able to undertake a national campaign even when they attempted to seek travel permits. The freedoms of assembly and association of Palestinian candidates and activists were also challenged in East Jerusalem, where arbitrary restrictions on campaigning imposed by Israeli authorities led to a number of arrests. There were several reports also of arrests of campaign activists by the Israeli Defence Forces in the West Bank. In contrast and despite the levels of instability, there were few reports of similar restrictions or other problems with campaigning in Gaza except for the difficulties in travel between the West Bank and Gaza.

### **Media Environment**

A broad and flourishing range of media outlets operate in the West Bank and Gaza. Television is the most important source of political information. In addition to local stations, the main Pan-Arabic Networks are widely viewed. While the first week of the campaign received relatively limited coverage, reflecting its low-key nature, extensive coverage of the election was provided during the two weeks prior to election day.

The official electronic media (Palestine TV and Voice of Palestine radio) provided electoral lists and candidates with extensive free airtime in accordance with the Election Law. Palestine TV, in agreement with the CEC, broadcast an hour-long talk show for each national list, campaign spots for national lists (up to 10 minutes) and district candidates (up to two minutes), plus a final three hour debate with representatives of the whole 11 lists. No reports of complaints on the allocation of free airtime were received. All of these programmes provided voters with a genuine opportunity to compare platforms and candidates.

Palestine TV offered only modest election coverage in its news and current affair programmes. A bias in favour of the ruling party Fatah (59 per cent of the coverage) was noted. Voice of Palestine allotted 56 per cent of its news and current affair coverage to Fatah and 31 per cent to Change and Reform. However, the airtime devoted to Change and Reform was often negative in tone.

Many lists and prominent candidates purchased space on private media. Problems with the rates, which were not announced in advance and were not equal for all candidates, undermined the principle of equal treatment for all contestants. The private TV station Watan TV favoured the Independent Palestine list, providing it with 60% of its political news and current affair coverage. The private radio station, Amwaj, devoted most of its coverage to independent candidates (58 per cent), Fatah (17 per cent) and Alternative (15 per cent). On the eve of the elections, the Minister of Interior shut down Al-Aqsa TV, a Gaza based private TV station affiliated to Change and Reform, on the basis that it was broadcasting without a license.

The print media offered space to all lists, presenting various articles on political parties and candidates. The state funded newspaper Al-Haya al-Jadeeda favoured the ruling party.

### **Participation of Women**

Women made up 47 per cent of registered voters, a slight increase from the 2005 presidential election. In a positive development, the election law was amended to introduce a quota for women on the national party lists. Each list had to have a woman candidate in positions 3, 7 and 12 on the list (or higher), and then one in every five positions that followed. This resulted in 22 per cent of candidates on the national lists being women. However, for the district elections, where there was no quota, only 15 of the 414 candidates were women.

The CEC produced few civic education materials that specifically targeted women. However, a number of NGOs carried out civic and voter education that was specifically targeted at women. In Palestinian society,

many women are involved in politics and in political parties. However, not many leadership positions are held by women. Few of the women district candidates managed to stand as official party candidates, so ran as independents, which is likely to make it difficult for them to be elected. The media coverage of women candidates saw a slight under-representation in terms of time. In part this reflects the parties' decisions on which candidates they put forward to the media. In the polling stations that were observed, women made up over one third of polling station staff.

### **Civil Society**

Civil society is vibrant and active, and this was reflected in its participation in election observation. According to the CEC, a total of 254 domestic organisations were accredited to observe the elections, which in turn accredited over 17,000 national observers. In addition to election observation, civil society organisations also played a leading role in civic and voter education, in cooperation with the CEC and media outlets. Specific attention was paid to areas where literacy and political awareness was low. Civil society organisations also organised candidate training programmes, as well as developing and monitoring a Code of Conduct for the campaign.

### **Voting in East Jerusalem**

The right to vote by Palestinians resident in East Jerusalem is established by the 1995 Oslo agreement and the precedents of the 1996 and 2005 elections. Initially, the Israeli authorities refused to allow voting to take place inside East Jerusalem to demonstrate their condemnation of the participation of candidates linked to extremist groups. As such a policy might otherwise have caused the elections to be postponed, the EU EOM welcomed the 15 January decision of Israel to allow for limited voting as a decisive step towards ending the uncertainty over the election, even though it came at a late stage in the electoral process.

The voting arrangements that were permitted - whereby only around five per cent of Palestinians resident in East Jerusalem are able to cast their votes in the city at six specific postal offices while the majority must cross into the West Bank to vote - fail to provide reasonable, equal or proper conditions. In particular, the procedures at the post offices again failed to provide secrecy of the ballot, and were administered by Israeli postal workers rather than trained CEC staff. The inadequacy of the locations also caused long queues and slow voting procedures that led to a two-hour extension of voting. EU EOM observers rated the voting conditions in all six East Jerusalem post offices as 'bad' or 'very bad' and noted that those voters who crossed into the West Bank were hampered by checkpoints and roadblocks even though steps had been taken by the Israeli authorities to provide greater flow of movement.

### **Polling**

The Election Day proceeded smoothly and peacefully, with an impressive turnout of almost 77 per cent of the total number of registered voters. There was an even higher turnout in Gaza of 81 per cent. The vast majority of polling stations opened on time, all electoral materials having been delivered the day prior to the elections. EU EOM observers evaluated the voting process as 'good' or 'very good' in over 95% of the polling stations they visited and the secrecy of the vote was respected in almost all polling stations observed except in East Jerusalem. Polling staff were well trained and followed the established procedures closely. As in 2005, there was a high proportion of voters who sought assistance to help them vote. Representatives from different candidates and lists were present in over 98 per cent of polling stations observed. Domestic observers were present in over 60 per cent.

Observers reported widespread and vigorous campaigning by candidates at many polling stations, although it was not reported as being antagonistic or intimidating. However, the presence of campaign activists distributing election materials in and around polling centres was unlawful and steps should have been taken to prevent it from occurring. EU EOM observers did not report intimidation of electoral staff. Provision of security around polling centres by the Palestinian security forces was adequate and unimposing. EU EOM Observers also

reported that the close of voting and the counting of votes also proceeded well, with 93 per cent of polling stations visited being rated as 'very good'. However, over 10 per cent of polling stations visited did not immediately display the election results as required by law.

Early voting by security forces between 21 to 23 January was marked by an extremely high level of turnout of 92 per cent. A surprising number of security personnel requested assistance to help with their voting on the grounds of illiteracy or disability, raising concerns of possible undue pressure on the voter and a lack of secrecy of the ballot. This led to the CEC temporarily suspending the right to assisted voting by members of the security forces to counteract the potential for abuse. Sensitive materials from the early voting were secured satisfactorily.

*Remarks by the EU EOM Chief Observer and the Head of the European Parliament Delegation at the press conference on 26 January 2006:*

The Palestinian Legislative Council elections have so far marked another important milestone in the building of democratic institutions. This is the conclusion of the 185-strong European Union Election Observation Mission (EU EOM) and the 27-strong European Parliament delegation. Yesterday, voters came out in impressive numbers to cast their ballot in a peaceful and enthusiastic manner.

"The Palestinian leadership took the risk of going ahead with these elections despite widespread opposition in order to give priority to democracy" said Véronique de Keyser MEP, Chief Observer of the EU EOM. She added: "The people of Palestine responded to this opportunity with great enthusiasm and dignity by coming out in large numbers to cast their ballot in a peaceful manner. I hope that the winners and losers of these elections will accept the results with the same political maturity that their supporters showed on election day."

"The conduct of these elections has provided a model for the wider Arab region and has clearly demonstrated the commitment of the Palestinian people to democracy," said Edward McMillan-Scott MEP, Vice-President of the European Parliament and Chairman of the EP delegation, which endorsed the preliminary findings and conclusions of the EU EOM and will report to Parliament in due course. "The parliamentary dimension of the EU's neighbourhood has thus been further strengthened, which is also important for the Euro-Mediterranean Parliamentary Assembly in which members of the Palestinian Legislative Council and the Knesset uniquely participate together."

The EU EOM wishes to express its appreciation to the CEC and other Palestinian bodies as well as to authorities of the Government of Israel, for their cooperation and assistance during the course of the observation. The EU EOM is also grateful to the European Commission Technical and Assistance Office for West Bank and Gaza and to the International Organisation for Migration for their operational support throughout.

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**European Parliament resolution on the result of the Palestinian elections and the situation in East Jerusalem**

*The European Parliament*,

- having regard to its previous resolutions on the Middle-East and in particular that of 27 January 2005<sup>10</sup>,
- having regard to the results of the Palestinian legislative elections of 25 January 2006,
- having regard to the statement of the European Union Election Observation Mission and the statement of the Parliament's observers' delegation,
- having regard to the statement of the Middle East Quartet (comprising the United Nations, the Russian Federation, the United States of America and the European Union) issued on 30 January 2006,
- having regard to the Council's conclusions on the Middle East peace process of 30 January 2006,
- having regard to Rule 103(4) of its Rules of Procedure,

A. whereas the Palestinian legislative elections were held in a very satisfactory manner, with a large turnout and respect for the rules provided for by the Palestinian electoral law, and under the aegis of the Palestinian Central Elections Commission (CEC),

B. whereas there was full commitment from the international community, the Quartet and the European Union to hold the elections,

C. whereas these elections, according to the European Union Election Observation Mission, 'marked another important milestone in the building of democratic institutions' under the efficient, professional and independent administration of the CEC,

D. whereas the conduct of the elections has provided a model for the region and has clearly demonstrated the commitment of the Palestinian people to democracy,

E. whereas support from the EU and other international donors is essential to satisfy the basic needs of the Palestinian people,

F. whereas it is important to strongly encourage all parties concerned by the post-election situation to refrain from any action that could lead to increasing tension,

G. whereas the Council decided not to publish the report on East Jerusalem drafted by the EU Heads of Mission in Jerusalem and Ramallah,

1. Welcomes the smooth and peaceful running of the election process and notably the high turnout of voters; considers that this high level of participation in the elections is proof of the will of the Palestinian people to shape their own future by democratic means;
2. Considers that the electoral campaign and the election day operations respected international standards and welcomes the monitoring work of the European Union Election Observation Mission;
3. Respects the results of the elections and takes note of the commitment of the President of the Palestinian Authority, Mahmoud Abbas, to act to form a new government which respects international rules and rejects violence; calls on the new Palestinian Legislative Council and the future government to clearly recognise the state of Israel's right to exist, to renounce all forms of terrorism, to commit themselves to the principle of peaceful negotiation aiming at a two-state solution and to work in cooperation with the Quartet;
4. Calls on the new Palestinian Parliament and future government and the Israeli Parliament and government to assume their responsibilities in this situation;
5. Asks for a strong and urgent initiative by the Quartet in order to promote a dialogue and negotiations between Palestinians and Israelis; considers that the 'Roadmap for Peace' remains a constructive base, but stresses the need to achieve positive and concrete results;



6. Points out that the results of the elections, which have provoked a profound change and radicalisation of the political arena in Palestine, are primarily an expression of the Palestinian people's desire for thorough reform, and also are a consequence of their difficult living conditions under occupation and strongly reflect criticism and grievances against the past administration;
7. Considers that, in order to prevent further radicalisation, the international community should focus on the many unsolved issues in the Israeli-Palestinian conflict;
8. Reaffirms that its commitment to remain the biggest aid donor to the Palestinian Authority and to continue assisting Palestinian economic development and Palestine's democratic process will be dependent on the new government's clarification on denouncing violence and recognising Israel; reaffirms also its determination to work for peace and to cooperate with any government which is ready to work by peaceful means;
9. Expresses its support to the present ESDP mission in Gaza to implement the Agreement on Movement and Accession, signed by the Government of Israel and the Palestinian Authority, the aim of which is to secure and manage in an orderly fashion the border with Egypt, and decides closely to monitor this border mission;
10. Notes the conclusions of the report on East Jerusalem drafted by the EU Heads of Mission in Jerusalem and Ramallah, which describes the situation in East Jerusalem, in particular the consequences of the building of the wall, and brings forward concrete recommendations for confronting the present problems; regrets that Parliament was not informed about its content;
11. Reaffirms that the dispute over East Jerusalem is part of the conflict as a whole and remains an issue for negotiations, especially as between the two sides; calls for a stop to the discriminatory treatment of Palestinian residents and for the re-opening of Palestinian institutions in East Jerusalem;
12. Instructs its President to forward this resolution to the Council, the Commission, the President of the Palestinian Authority and the newly elected Palestinian Legislative Council, the Prime Minister of Israel and the Knesset, the US government, the government of the Russian Federation and the UN Secretary-General.

(1) OJ C 253 E, 13.10.2005, p. 35.