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Conflict in the Gaza Strip

Greens/EFA motion for a resolution

Tabled by ***Daniel Cohn-Bendit, Monica Frassoni, David Hammerstein, Hélène Flautre, Caroline Lucas, Margrete Auken, Jill Evans, Angelika Beer and Cem Özdemir***

on behalf of the Verts/ALE Group

The European Parliament,

 having regard to its previous resolutions on the Middle East, in particular those of 16 November 2006 on the situation in the Gaza Strip, 12 July 2007 on the Middle East, 11 October 2007 on the humanitarian situation in Gaza and 21 February 2008 on the situation in the Gaza Strip,

 having regard to UN Security Council Resolutions 242 (1967), 338 (1973) and 1860 of 8 January 2009,

 having regard the Fourth Geneva Convention (1949) and its five principles,

 having regard to the European Union statement of 30 December on the situation in the placeMiddle East,

 having regard to Rule 103(2) of its Rules of Procedure,

A. whereas, on 27 December 2008, after the end of the six-month truce between Israel and Hamas brokered on 18 June 2008 by Egypt, the Israeli military forces started an airstrike campaign followed by a ground invasion of the Gaza Strip in retaliation for the launching of rockets by Palestinian militants,

B. whereas the truce was often violated by the two sides and did not result in the lifting of the Israeli blockade on the Strip as agreed by the parties, with a deep humanitarian crisis affecting the whole population of the Gaza Strip and limited and non-substantial improvements in the situation in the West Bank,

C. whereas the Israeli offensive has so far caused almost 1000 dead and 3000 injured, including a large proportion of women and children, and the destruction of civilian infrastructures, buildings, houses and even a UN school sheltering refugee families,

D. whereas in the Annapolis Declaration of 27 November 2007 the Israelis and Palestinians expressed their determination to launch good-faith bilateral negotiations in order to conclude a peace treaty resolving all outstanding issues before the end of 2008 and immediately implement their respective obligations under the Road Map, that include the freezing of all settlement activities, the lifting of restrictions on the

movement of goods and people in the Occupied Territories and an end to violence and terrorism,

1. Firmly condemns the massive and disproportionate offensives by the Israeli air and ground forces in a densely populated area, that have caused an increasingly high number of victims among the civilian population and the widespread destruction of civilian infrastructure and, in this regard, calls on Israel to fulfil its obligations under international humanitarian and human rights law to provide unimpeded humanitarian access to the conflict area; condemns at the same time the shelling of rockets by Hamas on Israeli civilians;

2. Reiterates its view that there cannot be a military solution to the Israeli-Palestinian conflict; welcomes, therefore, all the diplomatic actions aimed at reaching a sustainable truce, based on stopping the launching of rockets by Hamas, the end of the smuggling of weapons through the tunnels and the end of the Israeli blockade on the Gaza strip, along with the opening of the borders and a new and effective agreement about the management of the crossing points;

3. Supports, in particular, the Franco-Egyptian initiative and calls on the Council to make every effort in order to revitalise the Quartet and facilitate negotiations between all the parties concerned; welcomes the resolution adopted by the UN Security Council calling for an immediate, durable and fully respected ceasefire, leading to the full withdrawal of Israeli forces from Gaza and the unimpeded provision and distribution throughout Gaza of humanitarian assistance, and deplores the unwillingness of the two sides to abide by the terms of this resolution;

4. Reaffirms the right of Israel to defend itself, but stresses that this right must be proportional to the threat received and should be exerted in full compliance with the humanitarian law and international obligations with regard to the Geneva Conventions that place pivotal importance on respect for and protection of civilians from the effects of the hostilities, and reminds Israel, in particular, of its obligations as an occupying power under the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War; urges Member States to stop delivering weapons to Israel as long as there are no guarantees that such weapons are not used in violation of international law and that Israel does not use weapons prohibited by international law, such as white phosphorus shells;

5. Expresses its deep concern at the fate and safety of the 1.5 million Palestinians trapped in Gaza with no possibility to leave the Strip and at the humanitarian situation of the Palestinians living in the West Bank, whose conditions have not improved in spite of the cooperative attitude of the Palestinian National Authority; takes the view that a daily three-hour cessation of bombardments remains insufficient to deal with the present humanitarian catastrophe, that can only be tackled by an immediate and lasting ceasefire; recalls that the present crisis has further exacerbated the situation created by the long-lasting blockade on the Gaza Strip imposed by the Israeli authorities since 2007;

6. Calls, therefore, on both parties to cease hostilities in order to allow adequate humanitarian assistance to the civilian population, provide a chance to evacuate the wounded, restore emergency services and vital infrastructure, and enable those Palestinians wishing to leave the conflict area to do so in safety and with the assistance of the neighbouring states;

7. Urges, in particular, the Egyptian authorities to do their utmost to open the Rafah border crossing and allow the departure of refugees and the civilian population and the supply of humanitarian aid;

8. Points out that a fundamental condition for a stable agreement and international involvement in the present crisis is an internal accord between all the components of Palestinian society, based on the Mecca Agreement of February 2007;

9. Points out that the Israeli military action is irreversibly shattering the Annapolis process and

jeopardising all the limited achievements and the remaining hopes of a negotiated comprehensive settlement of the conflict in the medium term; calls therefore on the EU to take a strong initiative without further delay, with a view to convening an international conference involving all the main actors, aimed at finalising the existing peace proposals, with particular reference to the Arab League proposal, and to laying the foundations for a comprehensive settlement based on a solution providing for two states, namely the State of Israel with secure and recognised borders and a viable Palestinian state with East Jerusalem as its capital;

10. Calls on the Council to begin preparations for the deployment of a UN-mandated EU-led international peace-keeping force in the Gaza Strip, which should also include contingents from Arab and Muslim countries;

11. Calls on the Council to freeze the upgrading process of relations with Israel until a full, complete and permanent ceasefire has been agreed by all parties and Israel provides unimpeded humanitarian access; reaffirms at the same time that any upgrading of relations between the EU and Israel must be strongly conditioned on respect for human rights and international humanitarian law, an end to the humanitarian crisis in Gaza and in the Occupied Palestinian Territories, real commitments to a comprehensive peace settlement and full implementation of the EC-PLO Interim Association Agreement;

12. Takes the view that Israeli attacks on Gaza run counter to the provisions of the EU-Israel association agreement, notably those related to the human rights clause, which is legally considered as an essential element of the agreement; emphasises once more the need to set up a clear mechanism for the implementation of such a clause;

13. Deplores the decision of the Israeli authorities not to allow journalists into the Gaza Strip and to allow only a limited number of humanitarian convoys; calls for international monitors to be granted unhindered and unfettered access in order to allow an investigation on the crimes committed before and during the military offensive; deplores the Israeli authorities' decision to detain and expel on 15 December 2008 Richard Falk, the UN Human Rights Council Envoy for the Occupied Territories, who is investigating the Israeli treatment of Palestinians;

14. Is deeply concerned by the serious impact all around the world of the Israeli offensive, which is fostering mutual resentment among all the people concerned, weakening the moderate components of the Islamic world and spreading a climate of violence leading to a radicalisation of extremist groups and an increase in anti-Semitic acts;

15. Calls for a further substantial release of Palestinian prisoners, with special regard to the release of the imprisoned Members of the Palestinian Legislative Council, including PLC Member Marwan Barghouti; underlines that such an act could encourage the parties to resume the dialogue;

16. Instructs its President to forward this resolution to the Council, the Commission, the High Representative for the Common Foreign and Security Policy, the governments and parliaments of the Member States, the UN Secretary-General, the Quartet Envoy to the Middle East, the President of the Palestinian Authority, the Palestinian Legislative Council, the Israeli Government, the Knesset, and the Egyptian Government and Parliament.

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