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Israel-Palestine after the Gaza war and the role of the EU

Greens/EFA motion for resolution

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The European Parliament,

– having regard to its previous resolutions on the Israel-Palestine conflict and in particular to that of 17 July 2014 on the escalation of violence between Israel and Palestine(1),

– having regard to its ad hoc delegation on the detention of Palestinian prisoners and detainees of March 2014,

– having regard to the conclusions of the EU Foreign Affairs Council on the Middle East of 15 August 2014 and of the European Council of 30 August,

– having regard to the statements by the VP/HR on the situation in Israel and Palestine, including that of 2 September 2014 on the land appropriation by Israel in the West Bank,

– having regard to the EU guidelines on the promotion of compliance with international humanitarian law,

– having regard to the press statement by the UN Security Council of 12 July 2014 and the statement by UN Secretary-General Ban Ki-moon of 13 July,

– having regard to the 1949 Geneva Conventions and their Additional Protocols and to the Rome Statute of the International Criminal Court,

– having regard to the UN Human Rights Conventions, to which Israel and Palestine are States Parties,

– having regard to the latest reports adopted by the UN Human Rights Council on the Occupied Palestinian Territory,

– having regard to the Human Rights Watch report ‘In-Depth Look at Gaza School Attacks’ of 11 September 2014,

– having regard to the vast experience the international community can draw on in the field of conflict resolution, especially the experience of the Northern Ireland peace process,

– having regard to Rule 123(2) of its Rules of Procedure,

A. whereas between 8 July and 26 August 2014 the Israeli army launched a large-scale assault on the Gaza Strip, with the stated aim of ending rocket fire from Gaza;

B. whereas this latest war constitutes the sixth offensive by Israeli troops against Gaza since Israel's withdrawal from the Strip in 2005; whereas it has led to an unprecedented level of devastation and number of casualties in the enclave;

C. whereas an open-ended ceasefire, brokered by Egypt, was reached on 26 August between the Israeli and Palestinian sides; whereas the terms of the ceasefire reportedly include – similarly to past ceasefire arrangements – a lifting of the blockade, eliminating the buffer zone on the Gaza-Israel border and extending the fishing area, as well as an agreement to meet within a month in Cairo to discuss broader issues, including the rehabilitation of an airport and seaport in Gaza, the release of Palestinian prisoners and the disarmament of Palestinian militant groups;

D. whereas this latest conflict occurred in the aftermath of the establishment in April 2014 of a Palestinian unity government endorsed by Hamas and Fatah, accepting the principles of non-violence, adherence to past agreements and the recognition of Israel, and supported by the USA and the EU;

E. whereas three Israeli teenagers from settlements in the West Bank were killed on 12 June and a Palestinian teenager was murdered in retaliation in East Jerusalem on 2 July; whereas an 18-day sweeping operation in the West Bank was carried out by Israeli forces in relation to the killing of the Israeli teenagers, during which 700 Palestinians were arrested, thousands of homes were searched and many destroyed, six Palestinians were killed by Israeli security forces during the search operations and five Hamas members were killed on 7 July, to which Hamas responded on that day by firing its first rockets in 20 months;

F. whereas according to UN figures, 2 116 Palestinians have been killed during the latest conflict, 80 per cent of whom were civilians, including 500 children and 11 United Nations Relief and Works Agency (UNRWA) staff; whereas at least 11 231 Palestinians have been injured, two thirds of them women and children; whereas 2 000 children have been orphaned as a result of this conflict;

G. whereas 71 Israelis have been killed, including four civilians, one of them a child; whereas several thousand rockets and mortars were fired at Israel;

H. whereas Israeli airstrikes hit multiple civilian sites, including 228 school buildings and 58 hospitals and clinics that were damaged as a result of the strikes; whereas 140 000 people have lost their homes; whereas a third of Gaza's 1.8 million population has been displaced; whereas the entire infrastructure of the enclave – roads, public buildings, water, electricity – is dilapidated and requires reconstruction, exacerbating the already extremely precarious situation resulting from the Israeli and Egyptian blockade; whereas masses of unexploded ordnance remains to be found and disposed of;

I. whereas Palestinian experts have estimated that the reconstruction of Gaza would cost close to USD 8 billion; whereas on 9 September the UN and the Palestinian Government called on international donors to provide USD 550 million for food aid, access to clean water, healthcare and education as immediate relief following the recent conflict; whereas an international donors' conference for the reconstruction of Gaza is planned in either Egypt or Norway;

J. whereas tight restrictions remain on building materials entering Gaza and on movement of people, in spite of the ceasefire agreement; whereas Palestinian fishermen have been prevented from fishing within the extended fishing zone; whereas the border crossing between Gaza and Egypt has yet to be opened on a regular basis;

K. whereas the Israeli blockade on the Gaza Strip, in place since 2006, is illegal under international law and, according to Human Rights Watch, amounts to collective punishment directed against the civilian population, and compounds the suffering of the local population;

L. whereas the UN Human Rights Council appointed an Independent Commission of Inquiry to investigate all violations of human rights and international humanitarian law in the context of the latest Gaza conflict; whereas the Israeli military have announced a 'Fact-Finding Assessments Committee' to examine 'exceptional incidents' during the latest fighting; whereas Human Rights Watch has underlined Israel's 'long record of failing to undertake credible investigations into alleged war crimes';

M. whereas both Israel and Palestinian groups may be liable for damage caused to buildings used by the UN, including schools and other facilities providing shelter for displaced persons; whereas such buildings are protected by the 1946 Convention on the Privileges and the Immunities of the United Nations, to which Israel is a party;

N. whereas Israel paid USD 10.5 million in damages to the UN after being held responsible by a UN board of inquiry for damage to UN premises during the 2008-2009 offensive in Gaza;

O. whereas negotiations between the two sides for a comprehensive settlement of the Israeli-Palestinian conflict have been suspended *sine die*, further to the rescinding of the Israeli Government on its commitment to release a last group of Palestinian prisoners in April 2014;

P. whereas the Israeli Government announced on 31 August its decision to confiscate 1 000 acres of privately owned Palestinian land in the West Bank, which according to the Israeli NGO Peace Now constitutes the biggest land grab in 30 years; whereas Israeli settlements in the Occupied Territories have expanded unabated since the Oslo Accords, yet are illegal under international law and undermine peace efforts and the viability of a two-state solution;

Q. whereas Palestinian Authority (PA) President Abbas has stated his intention to set a timetable, through the UN, to end Israeli occupation of Palestinian territory within three years; whereas the Arab League has supported this plan of action and called for an international conference to seek a final settlement on the basis of the Arab Peace Initiative;

R. whereas an evaluation of the EU's cooperation with the Occupied Palestinian Territory and support to the Palestinian people, carried out on behalf of the Commission in May 2014, concluded that the current cooperation paradigm had reached its limits in the absence of a parallel political track by the EU to address the obstacles posed by the Israeli occupation and settlement policies and the political division of the West Bank and Gaza;

S. whereas previous experience of successful conflict resolution on the part of EU Member States, notably the Northern Ireland peace process, enables the European Union to play a leading role in resolving the Israeli-Palestinian conflict by utilising both the institutional and the political solutions developed during previous conflicts;

1. Condemns the disproportionality and the brutality of the violence of the latest Gaza war, as well as the grave and multiple violations of international humanitarian law committed during these horrific 50 days of war by both parties to the armed conflict;

2. Welcomes the open-ended ceasefire, yet urges all parties to effectively implement the terms reached under this agreement; in particular, urges the Israeli authorities to lift immediately, unconditionally and completely the illegal closure of the Gaza Strip, which since 2006 has constituted collective punishment directed against the civilian population;

3. Remains deeply shocked by the tragic loss of lives, including those of many children, and by the devastation caused to the civilian infrastructure in Gaza; expresses its solidarity with the victims on both sides;

4. Insists on the need to allow for unimpeded provision and distribution throughout Gaza of humanitarian assistance and reconstruction material; calls on the VP/HR and the EU Member States to step up diplomatic pressure in order to ensure the effective implementation of the ceasefire arrangement;

5. Deplores the insufficient EU funding proposed for UNRWA in the 2015 EU budget and calls for EU support to be commensurate with the critical needs on the ground;

6. Warns that any reconstruction effort will be meaningless if the root causes of the conflict are not addressed, and urges the parties to convene again in Cairo within a short timeframe, as part of the ceasefire arrangement;

7. Calls on donors not to repeat the mistake made in earlier reconstruction efforts of excluding Gaza-based representatives from the process;

8. Is concerned that development projects in Gaza funded by the EU and its Member States might have been destroyed or damaged by the Israeli offensive, and asks the HR/VP to report on the damage assessment by Commission services and, if it is confirmed, on plans to respond to the repeated destruction by Israel of EU-funded projects; in this regard, recalls that the Israeli Government compensated UNRWA for damage caused to the latter's premises during the 2008-2009 conflict;

9. Stresses that respect for international human rights and humanitarian law by all parties and in all circumstances remains an essential precondition for achieving a just and lasting peace; underlines the particular responsibility of Israel, as the occupying power, to comply with international humanitarian and human rights law;

10. Condemns the indiscriminate targeting of civilians and civilian targets by both parties, which constitutes a war crime and as such should be impartially investigated and appropriately punished; expresses particular outrage at the deliberate or indiscriminate attacks by Israeli forces on schools and UN refugee shelters;

11. Stresses that a return to the *status quo ante* would be unacceptable; urges all sides to resume peace talks in earnest; reiterates its view that there is no alternative to a comprehensive negotiated settlement of the conflict leading to a two-state solution, with Israel and a Palestinian state living side by side within secure and internationally recognised borders based on the 1967 framework;

12. Denounces the continued policies of dispossession of the Palestinian people with full impunity, including, most recently, the largest appropriation of Palestinian land in the West Bank in thirty years, only days after the ceasefire agreement; calls on the Israeli authorities to immediately halt and reverse its settlement policy, including plans for forced displacement of Bedouin populations;

13. Calls on the EU to adopt guidelines on consumer labelling of settlement products as a matter of urgency; calls for settlement products to be excluded from the EU market; deplores the continued business involvement of EU-based companies with and in Israeli settlements;

14. Requests a comprehensive assessment, coordinated by the HR/VP, of the involvement of European companies in settlement-related business and of their compatibility with international and EU law;

15. Welcomes the encouraging steps towards inter-Palestinian reconciliation and the formation of a technocratic government, achieved prior to the Israeli military offensive; call on all Palestinian forces to resume efforts towards reconciliation; denounces attempts to undermine this potentially historic process and calls on the Israeli authorities to release all those arrested since 12 June or to charge them with a recognised criminal offence;

16. Welcomes the suspension of arms exports to Israel by Spain in August, and takes note of the UK Government's decision to carry out a review of its arms exports to Israel; decides to carry out a report on the trade in arms and other security equipment between EU Member States and Israel/Palestine, and the compatibility of such trade with the EU Common Position; calls on FRONTEX to exclude the Israeli arms industry, including Israel Aerospace Industries and Elbit, from its suppliers; calls for a comprehensive UN arms embargo to all parties in the region in order to prevent further violations of international humanitarian law and human rights;

17. Deplores the abstention of the EU on the establishment of an Independent Commission of Inquiry by the UN Human Rights Council and the ongoing efforts by some of the EU Member States to discourage PA President Abbas from acceding to the International Criminal Court; considers that such behaviour blatantly undermines the credibility of the EU's human rights policy and its pronouncements on accountability and international justice;

18. Calls on the EU to provide its full financial and political support to the work of the Commission of Inquiry; calls on Israel to allow unfettered access throughout the conflict area; calls on the Palestinian Government to call unequivocally on the International Criminal Court (ICC) to extend its jurisdiction to the West Bank and Gaza in order to allow prosecution of serious international crimes perpetrated by both sides;

19. Calls on the EU to fulfil its responsibilities as an influential player and to take a clear and comprehensive peace initiative for the region, based on previous successes achieved by EU Member States in the field of strategic conflict resolution, most notably in the framework of the Northern Ireland peace process, and by using all forms of leverage, notably legal, economic and diplomatic, at its disposal to promote the effective upholding of international humanitarian law and human rights law; calls on the EU to develop a greenfield approach to its current engagement policy with the key actors in the region in order to give itself the means to carry out an ambitious peace agenda;

20. Calls on the EU to develop a strategic policy document that outlines clear and time-bound benchmarks, based on international law, which will determine the nature and scope of its engagement with both Israel and Palestine, as well as help ensure that its policies towards these entities are fully in line with the international and EU legal framework;

21. Considers that the level of violations of human rights and international humanitarian law reached during the conflict in Gaza and the latest land annexation by Israel warrants action by the EU under the Article 2 of the EU-Israel Association Agreement;

22. Decides to send an ad hoc delegation to Gaza/Palestine and to Israel in order to assess the situation on the ground, the implementation of the ceasefire and the prospects for a sustainable solution to the conflict;

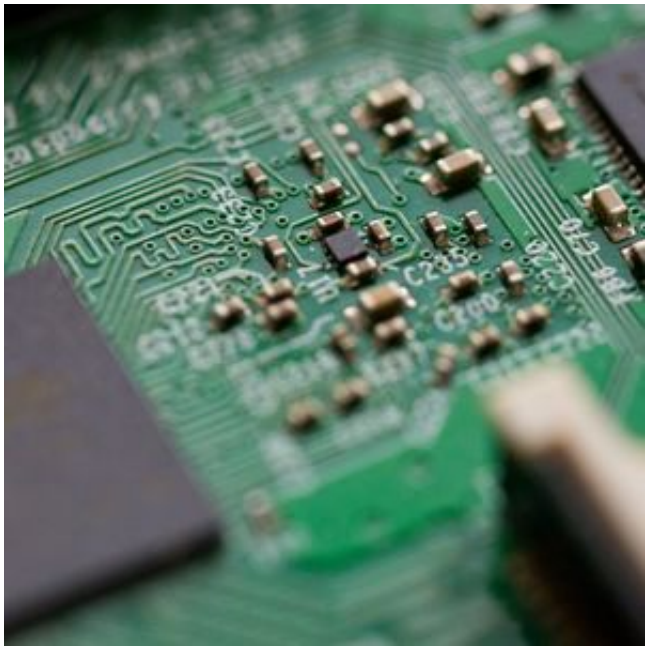
23. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the governments and parliaments of the Member States, the UN Secretary-General, the Quartet Envoy to the

Middle East, the Israeli Government, the Knesset, the President of the Palestinian Authority, the Palestinian Legislative Council and the Euro-Mediterranean Parliamentary Assembly bodies.

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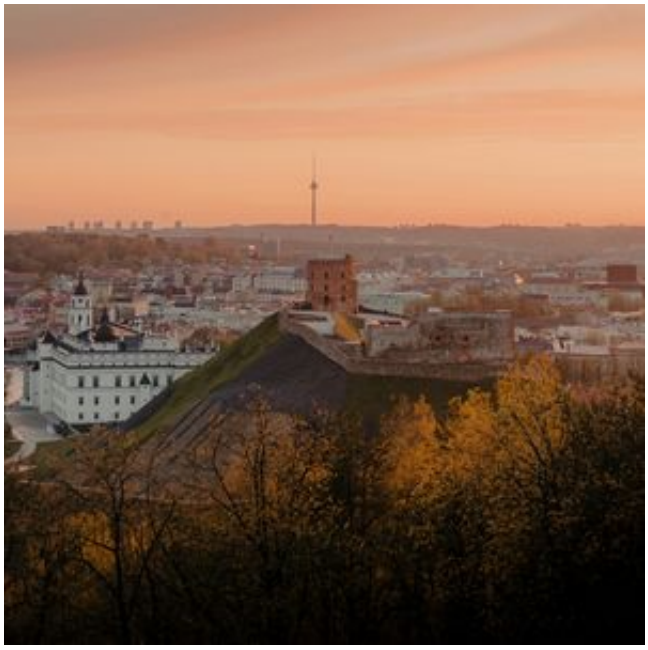
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