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The EU's role in the Middle East peace process

Greens/EFA motion for resolution

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The European Parliament,

- having regard to its previous resolutions on the Israel-Palestine conflict,
- having regard to the EU Foreign Affairs Council conclusions of 20 July 2015 on the Middle East,
- having regard to the EU Guidelines on International Humanitarian Law,
- having regard to the statements by the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy (VP/HR), Federica Mogherini, on the situation in Israel and Palestine,
- having regard to the decision by the Swedish Government to recognise the State of Palestine on 30 October 2014,
- having regard to the recognition of Palestine by the Vatican in June 2015,
- having regard to the letter sent to the VP/HR by 16 EU Foreign Ministers on 13 April 2015, calling for an EU-wide introduction of guidelines for correct labelling of settlement products,
- having regard to the UN Security Council resolutions on the Israel-Palestine conflict,
- having regard to the UN Human Rights Conventions to which Israel and Palestine are States Parties,
- having regard to the UN General Assembly vote on 29 November 2012 to recognise Palestine as a

non-member observer state,

- having regard to the UN Human Rights Council resolution on ensuring accountability and justice for all violations of international law in the Occupied Palestinian Territory including East Jerusalem, adopted on 3 July 2015 with unanimous EU support,
- having regard to the Arab Peace Initiative, adopted in March 2002 by the Council of the League of Arab States,
- having regard to the European Parliament study entitled ‘Occupation/Annexation of a Territory: Respect for International Humanitarian Law and Human Rights and Consistent EU Policy’, of 25 June 2015,
- having regard to Rule 123(2) of its Rules of Procedure,

A. whereas the USA-led negotiations for a comprehensive settlement of the Israel-Palestine conflict were suspended in April 2014 and have no short or medium-term prospects of meaningful resumption within the current parameters of the so-called Middle East Peace Process;

B. whereas the first legislative steps of the Israeli coalition government, in place since May 2015, have confirmed its nationalist, pro-settlement and far-right ideological leanings, as indicated by the adoption of the forced-feeding bill, the toughening of sanctions against stone-throwers and a proposal to expand the use of the death penalty; whereas draft bills aiming at limiting the authority of the Supreme Court as well as restricting the public space for civil society actors are in the making; whereas the Israeli government has announced the construction of hundreds of new settlements in East Jerusalem and the West Bank and has resumed the construction of the separation wall, in spite of it having been ruled as illegal by the International Court of Justice in 2004;

C. whereas the Palestinian population in the West Bank, notably in Area C and in East Jerusalem, face blatant violations of their rights, including settler violence, water diversion, severe restrictions on free movement, home demolition and forced evictions; whereas 5 700 Palestinians - including 160 children, 26 women and 400 administrative detainees - are currently held in Israeli jails; whereas the forcible transfer of residents of an occupied territory constitutes a grave breach of international humanitarian law; whereas planning policy is used as a means to evict Palestinians and to expand settlement outposts; whereas military training exercises are also used as a means to forcibly displace hundreds of Palestinians, notably in the Jordan Valley; whereas, according to the UN, Israeli settlers have carried out at least 120 attacks on Palestinians in East Jerusalem and the West Bank since the start of 2015; whereas, according to Israeli NGO B’Tselem, at least 13 Palestinians were killed by the Israeli security forces and 3 Israeli civilians killed by Palestinians in the OPT during the first half of 2015;

D. whereas, according to OCHA, 142 Palestinian-owned structures were demolished in August 2015 in Area C and East Jerusalem, including 16 donor-funded structures; whereas these demolitions displaced 201 people, including 121 children, and otherwise affected 426 people, including 233 children; whereas this was the largest demolition recorded in these areas since January 2013;

E. whereas one year after the Israeli ‘Protective Edge’ military operation against Gaza, which resulted in the death of over 2 100 Palestinians and 66 Israelis (including respectively 1 462 and 5 civilians), the parties have failed to abide by their duty to conduct genuine investigations into alleged violations and to prosecute those responsible; whereas the UN Commission of Inquiry into this operation concluded in June 2015 that both Israel and Hamas had committed war crimes and that the devastation in the territory was unprecedented; whereas Israel refused to cooperate with this commission of inquiry and denied it access to Gaza;

F. whereas the ceasefire reached on 26 August 2014 has not been implemented, notably as regards lifting the blockade; whereas none of the 19 000 homes entirely destroyed have so far been rebuilt due to severe restrictions on the entry of building materials; whereas 100 000 people are still displaced; whereas 95% of the water is not safe to drink; whereas the continued closure of Gaza is having a devastating impact on the 1.8 million people living in Gaza; whereas, according to the ICRC, the Gaza closure constitutes ‘a collective punishment imposed in clear violation of Israel’s obligations under international humanitarian law’; whereas an UNCTAD report of 1 September 2015 has concluded that the blockade has led to a sharp reversal in Gaza’s development and that Gaza could become uninhabitable by 2020;

G. whereas there have been several instances of rockets being fired from Gaza since the August 2015 ceasefire; whereas these attacks have been claimed by Salafist organisations or other rival movements to the ruling Hamas; whereas no Israeli casualties were reported as a result of these attacks;

H. whereas a Palestinian unity government endorsed by Hamas and Fatah was established in April 2014, accepting the Quartet principles of non-violence, adherence to past agreements and the recognition of Israel, and was supported by the US and the EU; whereas efforts towards Palestinian reconciliation have however failed to make tangible progress; whereas the government has been unable to exercise its authority over the Gaza Strip; whereas the Palestinian leadership has continued to be mired in internal power struggles with, most recently, the President of the Palestinian Authority (PA), Mahmoud Abbas, resigning from the PLO Executive Committee and calling for an emergency meeting of the Palestinian National Council; whereas the PA is facing mounting charges of practices of patronage, authoritarianism and the arrest of critics, corruption and the misuse of public funds;

I. whereas President Mahmoud Abbas has stated his intention to set a timetable through the UN to end the Israeli occupation of Palestinian territory within three years; whereas the Arab League has supported this plan of action and has called for an international conference aiming to seek a final settlement on the basis of the Arab Peace Initiative; whereas there are parallel efforts, spearheaded by France, in the UN Security Council;

J. whereas since the signing of the Oslo Declaration of Principles in 1993, the donor community has invested more than EUR 23 billion in peace and development aid in the OPT; whereas inequality, unemployment and poverty rates among Palestinians have steadily increased over the same period;

K. 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;

L. whereas under international law, any third party, including Member States, has the duty not to recognise, aid or assist settlements, as well as the duty to effectively oppose them;

M. whereas the former VP/HR pledged to issue EU-wide guidelines on the correct labelling of imported products originating beyond Israel’s pre-1967 borders, by July 2013; whereas, in April 2015, a clear majority of EU Member States expressed in a letter their exasperation at the repeated deferral of such guidelines being issued by the VP/HR and urged the latter to take action; whereas three EU Member States – the UK, Denmark and Belgium – have issued their own voluntary national guidelines;

1. Urges the EU to shed its illusions about the effectively defunct ‘Middle East Peace Process’, which has proven to be a costly failure in its current format; calls for a fresh EU approach that genuinely serves the interests of peace and security of the Palestinian and Israeli people alike;

2. Calls on the EU to stop hiding behind the leadership of the USA, which has demonstrated a lack of resolve to enable a credible negotiation process based on equality of the parties and respect for international law;
3. Urges the EU to fulfil its responsibilities as an influential player and to take a bold and comprehensive peace initiative for the region, notably on the basis of the Arab Peace Initiative; takes note, in this regard, of the plans to establish an International Support Group, as announced by the EU Foreign Affairs Council on 20 July 2015; stresses that any initiative that it would support should be based on the parameters enunciated in the Council conclusions of July 2014 and on an unambiguous commitment from the parties to respect international law and to engage without pre-conditions and in good faith in these talks;
4. Stresses again that non-violent means are the only way to achieve peace between Israelis and Palestinians through a negotiated final status agreement ending all mutual claims; condemns all acts of violence attacking or endangering civilians on both sides; reiterates its strong commitment to the security of Israel; continues to support the policy of non-violent resistance espoused by Palestinian civil society and Palestinian President Mahmoud Abbas;
5. Strongly condemns the continued expansion of Israeli settlements, which violate international humanitarian law, fuel Palestinian resentment and undermine the viability and prospects of the two-state solution; calls on the Israeli authorities to immediately halt and reverse their settlement policy;
6. Expresses grave concern about the exploitation of Palestinian natural resources by Israel and the prevalence of forced displacement, notably in Area C, which constitutes a grave breach of international law; deplores, in particular, recent Israeli court decisions approving the demolition and forcible displacement of Bedouin communities in the West Bank for the construction of Jewish settlements; calls on the Israeli authorities to fully respect the rights of the Bedouins and to immediately cancel the demolition and eviction orders for villages in the Susya and Abu Nwar communities;
7. Expresses it profound dismay at the growing trend of unchecked settler violence, including the recent murder of an 18-month-old Palestinian baby through an arson attack in the Palestinian village of Douma on 28 July 2015; welcomes the widespread condemnation of this crime by the Israeli leadership, even though it largely failed to acknowledge the endemic nature of settler violence facilitated by a decades-long climate of impunity and incitement;
8. Considers that the composition of the Israeli coalition government, as well as the agenda of the latter, including intensified settlement expansion, continued impunity for violations in the occupied territory and forcible displacement of Palestinians, is a major impediment to the two-state solution and underscores the need for the EU to take urgent steps to protect its viability; calls on the EU to challenge the inexistent will and incentive for the current Israeli government to negotiate an end to the conflict;
9. Calls on the EU institutions and the Member States to enforce their legal requirement of non-recognition and to apply an effective and comprehensive policy of EU differentiation between Israel and its settlements, grounded on strict respect for international law and EU principles;
10. Is convinced that such a differentiation policy is indispensable in order to create a positive dynamic towards genuine peace negotiations; believes that such an approach would contribute to modifying the structure of incentives that underpin Israel's settlement policy and would challenge the cost/benefit calculations of the Israeli public and political elite in relation to the occupation;
11. Encourages the EU, as part of this differentiation policy, to take the following measures:

- a. to step up its public diplomacy in response to settlement activity and to clearly articulate to the Israeli public that such a policy stems from the intensity and breadth and depth of EU-Israeli ties and is based on a legal imperative;
 - b. to strictly exclude the application of EU-Israeli agreements to the Occupied Palestinian Territory (OPT);
 - c. to issue EU guidelines on the labelling of settlement products, which should cover the entire supply chain;
 - d. to establish a more robust EU monitoring and compliance mechanism in relation to free trade, in order to prevent Israeli goods containing unprocessed material originating from settlements to receive preferential trade tariffs under the EU-Israel FTA;
 - e. to draw on the example of the swift and effective EU ban on products from Crimea and to exclude Israeli settlement products from the EU internal market;
 - f. to carry out a mapping of European companies with activities linked to the settlements;
 - g. to issue EU-wide advice to EU citizens and companies discouraging them from any economic engagement with companies whose operations are contributing to or maintaining illegal settlements and other violations of international law in the OPT, and to encourage termination of existing business relationships in the spirit of the UN Guiding Principles on Business and Human Rights;
 - h. to take concrete measures towards settlers, including the adoption of a non-contact policy and a visa ban for those involved in acts of violence;
 - i. to develop guidelines for financial cooperation between European and Israeli entities, which ensure that EU investment funds or banks do not support companies or funds that operate in the settlements;
 - j. to deny the admissibility of legal documents issued in Israeli settlements, such as property deeds or education degrees;
 - k. to task the Commission and the EEAS to carry out a systematic assessment of EU and Member State interaction with Israel and to ensure that the policy of differentiation is applied consistently;
 - l. to revisit EU-Israeli relations in light of Article 2 of the Association Agreement;
12. Urges all Member States to unconditionally recognise the State of Palestine in accordance with the 1967 borders; firmly believes that Europe-wide recognition of the State of Palestine will advance the prospects for peace and encourage efforts, including by Israeli civil society, to secure a two-state resolution;
13. Expresses alarm at the increase in destruction, seizure and confiscation of humanitarian assistance and equipment in Area C and calls on the Commission to report back to the Parliament on its efforts to request compensation and guarantees of non-repetition by the Israeli authorities, to continue to invest in Area C and to provide EU humanitarian and development aid there; takes note in this respect of the EU initiative to launch a structured dialogue with Israel on the situation in the West Bank, but deplores the fact that it does not include the issue of settlement; reiterates that demands for compensation for the destruction of EU-funded infrastructure are legitimate and should not be made conditional on the result of the structured dialogue;

14. Asks the Commission to disclose the list of EU-funded projects damaged by the Israeli military forces during the 2014 conflict in Gaza, and requests the EEAS to inform Parliament about the demarches initiated so far towards the Israeli authorities to obtain financial compensation; requests, in particular, details regarding the North Gaza Wastewater Treatment Plant co-financed by the EU budget and France, Belgium and Sweden, which was severely damaged during the conflict;
15. Calls on the European Commission to drastically change its aid paradigm to Palestinians in order to ensure that EU aid fully integrates the political dimension of occupation and effectively supports Palestinian self-determination, as opposed to subsidising Israeli occupation and fuelling Palestinian donor dependence; underlines, in this regard, the critical importance of supporting the Palestinians' right to access to their natural resources, notably water; encourages the EU to intensify its support to Palestinian civil society, including in the field of government accountability and the fight against corruption;
16. Calls on all parties to effectively implement the terms reached under the August 2014 ceasefire agreement; in particular, urges the Israeli authorities to immediately, unconditionally and completely lift the illegal blockade of the Gaza Strip; calls on the EU to take concrete steps to press Israel to end the blockade, notably by setting a timetable; deplores the continued restrictions by Israel on the entry of building materials into Gaza; calls on the Israeli government to cease its arbitrary and non-transparent process of listing materials as 'dual-use' and to bring its dual-use list in line with international standards, notably by removing wood, aggregates, steel bars and cement;
17. Condemns recent rocket fire by militant groups from the Gaza Strip, as such action heightens the danger of a new spiral of violence; presses all parties to commit to non-violence;
18. Welcomes the unanimous vote by EU Member States in favour of the 3 July UN Human Rights Council resolution on 'Ensuring accountability and justice for all violations of international law in the Occupied Palestinian Territory, including East Jerusalem', and calls on the EU to ensure the full implementation of the recommendations contained in the UN Independent Commission of Inquiry report, including its recommendations to support actively the work of the International Criminal Court in relation to the OPT;
19. Welcomes, once again, the ratification by Palestine of the Rome Statute of the International Criminal Court; deplores the refusal of the VP/HR to even acknowledge this important step towards accountability for future violations committed by all sides; considers that such behaviour blatantly undermines the credibility of the EU's human rights policy and its pronouncements on accountability and international justice;
20. Expresses concern at the reports of a deteriorating climate for human rights NGOs in Israel and at the growing attempts by the current government to stifle dissent and independent art, including through the adoption of draft bills aiming to severely restrict the work of NGOs; calls on the EU diplomatic missions to engage with the Israeli authorities on this pressing matter and to continue supporting human rights actors in the country;
21. Takes note of the efforts of the Palestinian Israelis to coalesce under the Joint List and to secure a strong outcome at the last legislative elections; calls on the EEAS and the European Commission to significantly step up their support to and engagement with minorities in Israel and to support their efforts to achieve better political, economic and social participation;
22. Deplores continued Palestinian disunity and calls on all Palestinian forces to resume efforts towards reconciliation, notably through the holding of the long overdue presidential and legislative elections; denounces attempts to undermine this potentially historic process, and calls on the Israeli authorities to release all 12 members of the Palestinian Legislative Council currently in detention, as well as all other

Palestinian political prisoners and those under administrative detention without charges; calls on the EU to take concrete action to promote reconciliation and to support the Palestinian unity government;

23. Decides to draw up a report on the trade in arms and other security equipment between the Member States and Israel/Palestine and on the compatibility of such trade with the EU Common Position; calls for a comprehensive UN arms embargo on all parties in the region in order to prevent further violations of international humanitarian law and human rights; insists that no funds under the EU framework research programme support Israeli companies aiming to produce drones;

24. Considers that the nomination of Tony Blair as special envoy for the Middle East Quartet was an ill-fated decision and expresses relief that his mandate was terminated; believes more broadly that the EU would gain from designating emissaries with demonstrable knowledge of the region, political clout and impeccable ethical credentials;

25. Recalls its decision to launch a 'Parliamentarians for Peace' initiative aiming to bring together European, Israeli and Palestinian parliamentarians in order to help advance an agenda for peace and complement EU diplomatic efforts;

26. Expresses outrage at the continued and unjustified obstruction by the Israeli authorities of any visit by official bodies of the European Parliament to Gaza; warns that measures will be taken in the absence of any improvement by 1 November 2015;

27. Decides to send an ad hoc delegation to Gaza/Palestine and to Israel to assess the situation on the ground in relation to the destruction of EU-funded projects in Area C and Gaza, and the prospects for a sustainable solution to the conflict;

28. 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, 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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