



EUROPEAN PARLIAMENT

2009 - 2014

---

*Session document*

---

9.3.2010

B7-0187/2010

## MOTION FOR A RESOLUTION

with request for inclusion in the agenda for the debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 122 of the Rules of Procedure

on the case of Gilad Shalit

**Franziska Katharina Brantner, Jan Philipp Albrecht, Reinhard Bütikofer, Margrete Auken, Nicole Kiil-Nielsen, Frieda Brepoels, H el ene Flautre, Heidi Hautala, Barbara Lochbihler, Malika Benarab-Attou, Ra il Romeva i Rueda, Daniel Cohn-Bendit**

on behalf of the Verts/ALE Group

**European Parliament resolution on the case of Gilad Shalit**

*The European Parliament,*

- having regard to its previous resolution on the Middle East,
- having regard to the 3rd Geneva Convention of 1949,
- having regard to the Council Conclusions on the Middle East Peace Process of 8 December 2009,
- having regard to Rule 122(5) of its Rules of Procedure,
  - A. whereas Israeli corporal Gilad Shalit was captured by Palestinian armed groups on 25 June 2006 during a cross-border operation on the Israeli side of the Gaza Strip; whereas during this attack, two Palestinian militants and two IDF soldiers were killed,
  - B. whereas since his abduction, Gilad Shalit is being kept incommunicado in the Gaza Strip where he does not enjoy basic rights according to the Third Geneva Convention while he meets the requirements for prisoner-of-war under that Convention,
  - C. whereas Hamas takes the responsibility for the detention of Gilad Shalit and did not allow the International Committee of the Red Cross to visit him,
  - D. whereas Gilad Shalit has both Israeli and French citizenships; whereas Salah Hamouri, who is imprisoned in Israel since 2005, has both Palestinian and French citizenships,
  - E. whereas in reaction to his abduction, Israeli Government ordered a number of attacks against infrastructure in the Gaza Strip and Palestinian Authority offices which were followed by the arrests of eight Palestinian Government ministers and 26 members of the Palestinian Legislative Council; whereas the fact that Gilad Shalit being kept prisoner cannot be taken as justification for maintaining the blockade of the Gaza Strip,
  - F. whereas more than 7 000 Palestinian prisoners, including around 30 women and around 300 children, are held in Israeli prisons; whereas around 15 Members of the Palestinian Legislative Council, including Marwan Barghouti, are still imprisoned,
  - G. whereas respect for international human rights and humanitarian law by all parties and under any circumstances remains an essential precondition of achieving a just and lasting peace in the Middle East,
    - 1. Reiterates its call for an immediate release of Gilad Shalit who has been held captive for more than three years;
    - 2. Calls on Hamas to recognize his status of prisoner of war and to guarantee that his conditions of detention comply with the provisions of the Third Geneva Convention;

urges, in this respect, on Hamas to allow the ICRC to visit him without delay and to permit him to communicate with his family in accordance with that Convention;

3. Reiterates its calls for a substantial release of Palestinian prisoners with a special focus on women, children and PLC members; considers that such release could be a contributing factor to the release of Gilad Shalit; calls, at the same time, on Israel to guarantee that the conditions of detention for all Palestinian prisoners strictly comply with international human rights and humanitarian law;
4. Strongly condemns the Dubai murder of a Hamas official and expresses its concerns that this could hamper efforts of negotiating Shalit's release;
5. Urges the EU and its Member States to continue their efforts aimed at achieving the release of Gilad Shalit as well as a substantial release of Palestinian prisoners;
6. Instructs its President to forward this resolution to the Council, the Commission, the High Representative of the Union for Foreign Affairs and Security Policy/Vice President of the Commission, the governments and parliaments of the Member States, the Israeli government and parliament, the President of the Palestinian Authority, the Palestinian Legislative Council and the Euro-Mediterranean Parliamentary Assembly.