

**The case of Gilad Shalit**

**European Parliament resolution of 11 March 2010 on Gilad Shalit**

*The European Parliament,*

- having regard to the Third 1949 Geneva Convention and to Common Article 3 of the 1949 Geneva Conventions,
  - having regard to the 1979 International Convention Against the Taking of Hostages,
  - having regard to the Declaration by the Presidency of 18 November 2009, on behalf of the European Union, on the humanitarian situation in Gaza, which ‘[calls] on those holding the abducted Israeli soldier Gilad Shalit to release him without delay’,
  - having regard to US Congress Resolution 921 of 18 July 2006,
  - having regard to its previous resolutions on the situation in the Middle East which have included a call for the release of Gilad Shalit,
  - having regard to Rule 122(5) of its Rules of Procedure,
- A. whereas Corporal (now Sergeant) Gilad Shalit was kidnapped by Hamas on Israeli soil on 25 June 2006,
- B. whereas Sergeant Shalit is a European (French) and an Israeli citizen,
- C. whereas, since being taken hostage, Sergeant Shalit has been held incommunicado in Gaza and deprived of basic rights in accordance with Common Article 3 of the 1949 Geneva Conventions and the Third 1949 Geneva Convention,
- D. whereas Hamas has claimed responsibility for Sergeant Shalit’s continuing detention and has declared that he is being held in accordance with the Third 1949 Geneva Convention,
- E. whereas international humanitarian law and international human rights law must be respected by all parties to the Middle East conflict and in all circumstances,
- F. whereas trust-building between Israelis and Palestinians is an essential part of a peace process leading to a situation where two states can live side by side in peace and security,
- G. whereas a video, received in October 2009, showing the captured soldier holding a Gaza newspaper dated Monday, 14 September 2009, is the most conclusive proof that Sergeant Shalit is alive,
1. Calls for the immediate release of Sergeant Gilad Shalit;
  2. Calls upon Hamas to be as good as its word and grant Sergeant Shalit rights and privileges in accordance with the Third 1949 Geneva Convention;

3. Deplores the continued disregard for Sergeant Shalit's basic human rights and the fact that his family and the Israeli and French authorities have been prevented from obtaining information regarding his well-being; therefore urges Hamas to allow the International Committee of the Red Cross to visit Sergeant Shalit without delay, and to permit him to communicate with his family in accordance with the Third 1949 Geneva Convention;
4. Stresses the importance of progress towards a two-state solution and welcomes the relaunching of proximity negotiations between Israel and the Palestinian Authority;
5. Stresses that mutual trust-building measures by all sides, including a significant release of Palestinian prisoners, may help to create a constructive atmosphere leading to the release of Sergeant Shalit;
6. Instructs its President to forward this resolution to the Council and the Commission, the Member States, the Vice-President of the Commission/ High Representative of the Union for Foreign Affairs and Security Policy, the Israeli Government, the Palestinian Authority and the Euro-Mediterranean Parliamentary Assembly.