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*Plenary sitting*

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**B8-0207/2018**

17.4.2018

## **MOTION FOR A RESOLUTION**

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

pursuant to Rule 135 of the Rules of Procedure

on the situation in the Gaza strip  
(2018/2663(RSP))

**Elena Valenciano, Victor Boștinaru, Soraya Post, Norbert Neuser**  
on behalf of the S&D Group

**B8-0207/2018**

**European Parliament resolution on the situation in the Gaza strip  
(2018/2663(RSP))**

*The European Parliament,*

- having regard to its previous resolutions on the Middle East Peace Process, in particular that of 18 May 2017 on achieving the two-state solution in the Middle East, of 10 September 2015 on the EU's role in the Middle East peace process, and of 17 December 2014 on recognition of Palestine statehood,
  - having regard to Council conclusions on the Middle East Peace Process,
  - having regard to the statements by European Union High Representative/Vice-President Federica Mogherini of 31 March, and by her spokesperson of 5 and 7 April 2018,
  - having regard to the statements by United Nations Secretary General António Guterres of 5 April, and by his spokesperson of 30 March 2018,
  - having regard to the statement by Prosecutor of the International Criminal Court Fatou Bensouda of 8 April 2018,
  - having regard to the statement by Special Rapporteur on extrajudicial, summary or arbitrary executions Agnès Callamard, Special Rapporteur on the right to adequate housing Leilani Farha, Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression David Kaye, and Special Rapporteur on the situation of human rights in the Palestinian Territory occupied since 1967 Michael Lynk at the Office of the United Nations High Commissioner for Human Rights of 6 April 2018;
  - having regard to the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 1949,
  - having regard to the United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials of 1990,
  - having regard to the United Nations report "Gaza Ten Years Later" of July 2017,
  - having regard to Rule 135 of its Rules of Procedure,
- A. whereas close to 30 Palestinians have been killed and more than 2,000 have been wounded, including many children and women, by Israeli Defence Forces in the protests at the borders of the Gaza Strip since 30 March 2018;
- B. whereas these demonstrations, aimed at attracting international attention to the Israeli blockade of the Gaza Strip and its humanitarian consequences as well as to the right of return of Palestine refugees, are announced to last for a six-week period until 15 May 2018;

C. whereas Palestinians claim that Israeli Defence Forces have intentionally used live ammunition to kill and injure unarmed peaceful protesters, as a grave breach of the Fourth Geneva Convention;

D. whereas Israel claims that protests are led and financed mainly by Hamas, and that protesters have thrown stones and firebombs against Israeli Defence Forces positions, burned tires, and attempted to harm or destroy Israeli security infrastructure as well as to cross the border area into Israeli territory;

E. whereas, according to the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, firearms may be used only in cases of extreme necessity as a last resort in response to an imminent threat of death and risk of serious injury, while intentional lethal use of firearms may only be made when strictly unavoidable in order to protect life;

F. whereas United Nations experts and human rights organisations claim that there is no available evidence to suggest that the lives of members of Israeli Defence Forces have been seriously threatened by the protests;

G. whereas United Nations Secretary General António Guterres, European Union High Representative/Vice-President Federica Mogherini, and a number of other international actors call for independent and transparent investigations into these violent events, with special regard to the use of live ammunition by Israeli Defence Forces; whereas these calls have been rejected by Israeli Prime Minister Benjamin Netanyahu and Israeli Minister of Defence Avigdor Lieberman, who commended the way the Israeli army handled the protests;

H. whereas the Israeli land, air and sea blockade of the Gaza Strip, imposed since the violent takeover by Hamas in 2007, isolates 1,9 million Palestinians in the area from the rest of the world; whereas this blockade amounts to collective punishment of this population, which is against international law; whereas the regular closure of the Rafah crossing by Egypt further aggravates this situation; whereas the European Parliament has repeatedly called for an end to the blockade;

I. whereas the Gaza Strip has witnessed three major escalations of violence over the past decade during Israeli Defence Forces operations in December 2008-January 2009, November 2012, and June-August 2014; whereas, according to UN data, more than 3,800 Palestinians, including over 920 children, as well as 90 Israelis were killed, and around 900 Palestinians, including around 300 children, were permanently disabled in these hostilities; whereas more than 18,000 Palestinian homes were destroyed or severely damaged during the latest conflict in 2014, which resulted in 100,000 displaced persons, of whom more than 4,000 families remain displaced until today;

J. whereas Hamas continues to keep the population under control and pressure in the Gaza Strip; whereas, beyond the blockade, intra-Palestinian division further reduces the capacity of local institutions in Gaza to deliver basic services; whereas the recent attempted assassination of Palestinian Prime Minister Rami Hamdallah during his visit to the area has further deepened the deadlock in the process of Palestinian reconciliation;

K. whereas the firing of rockets from the Gaza Strip into Israeli territory continues; whereas, according to Israeli Defence Forces, a total of 35 projectiles were fired from the area towards Israel in 2017;

L. whereas the Israeli blockade and Hamas rule have undermined the economy in the Gaza Strip, leading to a high level of aid dependency; whereas, according to UN data, 1,3 million people in Gaza are in need of humanitarian assistance, 47 per cent of the households suffer from severe or moderate food insecurity, 97 per cent of piped water is unfit for human consumption, 80 per cent of energy needs are uncovered, and more than 40 per cent of the population are unemployed in the area;

M. whereas 31-year-old Avera Mengistu, who emigrated to Israel from Ethiopia, and 30-year-old Hisham al-Sayed, a Palestinian Bedouin from Israel, both of them having psychosocial disabilities, are believed to be held in unlawful incommunicado detention in the Gaza Strip; whereas Hamas reportedly refuse to release information about their conditions, authorise communication with their families, and allow visits by the International Committee of the Red Crescent/Cross; whereas the remains of Israeli soldiers Hadar Goldin and Oron Shaul continue to be held by Hamas in Gaza;

1. Condemns in the strongest terms the killing of close to 30 and the wounding of more than 2,000 Palestinians, including many children and women, by Israeli Defence Forces during protests at the border of the Gaza Strip over the past three weeks; expresses its condolences to the families of the victims;

2. Calls for accountability based on independent and transparent international investigations into these violent events, in particular the reported use of live ammunition, rubber-bullets and teargas by the Israeli army against unarmed protesters; expects the European Union to take the results of these investigations into full account in its bilateral relations with Israel and the Palestinian Authority;

3. Calls on all sides to avoid and to prevent the further loss of lives and injuries, the use of violence, and the escalation of tensions;

4. Calls on Israel to avoid the use of force against any peaceful Palestinian demonstrator, respect the basic principle of proportional use of force under any circumstances, and respect the fundamental rights of peaceful assembly and protest of Palestinians, while it recognises Israel's right to protect its borders and take measures for ensuring its security;

5. Condemns any act of incitement to violence on all sides; calls on the Palestinian Authority and those leading the protests in the Gaza Strip to ensure that demonstrations be non-violent and they cannot be exploited for other purposes than peaceful protest;

6. Insists on an immediate end to the Israeli land, air and sea blockade of the Gaza Strip, which amounts to collective punishment of the population against international law, while addressing the legitimate security concerns of Israel;

7. Calls again for the return of the Palestinian Authority to the Gaza Strip, which must be a priority, and regrets the deadlock in the process of Palestinian reconciliation; reiterates its call

for an immediate end to the firing of rockets into Israeli territory by Hamas and other armed groups in the area;

8. Notes with deep concern the warning in various United Nations reports that the Gaza Strip may become unliveable by 2020; calls for an immediate and meaningful international effort for the reconstruction and rehabilitation of Gaza with the aim of easing the humanitarian crisis; applauds the work of UNRWA providing food assistance, access to education and health care, and other vital services to the 1,4 million Palestine refugee population in the area;

9. Calls for the freeing and the return to Israel of Avera Mengistu and Hisham al-Sayed; calls on all parties to return the remains of killed soldiers or fighters on both sides, including those of Hadar Goldin and Oron Shaul; calls again for the release of Palestinian political prisoners, in particular children, held in Israeli jails;

10. Instructs its President to forward this resolution to the Council, the Commission, the High Representative for the Common Foreign and Security Policy/Vice President of the Commission, the EU Special Representative for the Middle East Peace Process, the parliaments and governments of Member States, the Secretary General of the United Nations, the Knesset, the President and the Government of Israel, the Palestinian Legislative Council, and the President of the Palestinian Authority.