



Plenary sitting

B8-0211/2018

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
(2018/2663(RSP))

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on behalf of the ECR Group

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

The European Parliament,

- having regard to the statement by the Spokesperson of HR/VP Frederica Mogherini on the most recent developments in Gaza of 7 April 2018,
 - having regard to the statement by the Spokesperson of HR/VP Frederica Mogherini on the planned new demonstrations in Gaza of 5 April 2018,
 - having regard to the statement by HR/VP Frederica Mogherini following the events in Gaza of 31 March 2018,
 - having regard to the statement by the Spokesperson of HR/VP Frederica Mogherini on the escalation of events in and around Gaza of 19 February 2018;
 - having regard to the Council conclusions on the Middle East Peace Process of 20 June 2016, 18 January 2016 and of 20 July 2015;
 - having regard to the report of 1 July 2016 by the Middle East Quartet,
 - having regard to UN Security Council Resolution 242 (1967),
 - having regard to Rule 135 of its Rules of Procedure;
- A. whereas the violent riots and attacks, also coined the “March of Return”, started on 30 March 2018, were announced on 29 January 2018 by all Palestinian factions in the Gaza Strip and the intention of the organisers was not to hold a single, one-time event but rather a series of demonstrations, culminating in the “Nakba Day” on 15 May 2018;
- B. whereas Hamas has been a central figure in the organisation of the “March of Return” and sermons in mosques in Gaza have called for violence, including various sources on social media which distributed content inciting violence regarding the march;
- C. whereas Hamas has carried out terrorist activities along the fenced border area in the disguise of riots; such activities are part of Hamas’ tactic of using civilians as human shields and disguising terrorist activity under the cover of civilian popular protests and events;
- D. whereas Palestinians have protested near the border of Gaza with Israel, while some protests appeared peaceful, others have been marked by violence in which rioters threw firebombs and Molotov cocktails to initiate fires along the border fence and infiltrate into Israeli territory despite prior warning not to do so by Israeli authorities;
- E. whereas approximately over a thousand Palestinian protestors have been wounded by live ammunition by Israeli snipers resulting in injuries and loss of lives; whereas some have been claimed by Hamas and other terrorist organisations as operatives and

martyrs;

- F. whereas Egypt has opened the Rafah crossing on 12 April 2018 for humanitarian cases for three days, ahead of a third consecutive planned mass protest on the Gaza-Israel border;
- G. whereas Saudi Arabia and Egypt have been pressuring Hamas to stop the protests in Gaza and have exerted diplomatic pressure to prevent Gazans from marching to the border with Israel;
- H. whereas Hamas is on the EU list of terror organisations and call for the destruction of Israel; whereas Hamas uses hybrid terror tactics and has in the past fired tens of thousands of rockets into Israel seeking to deliberately hit civilian areas and on numerous occasions attempted to penetrate Israeli territory to commit terror attacks;
- I. whereas the Gaza Strip remains a hub of internationally recognized terrorist organizations, including, but not limited to, Hamas, Palestinian Islamic Jihad, ISIS and al Qaeda; whereas terror organisations have evolved into pseudo-legitimate political actors, with a capacity to simultaneously conduct terrorist activity, engage in political outreach and provide social welfare services to a population;
- J. whereas the EU has continuously called for all militant groups in the Gaza Strip to disarm and condemned the rocket attacks on Israel as unacceptable and condemned the tunnel construction by Hamas and other militant groups to infiltrate Israeli territory;
- K. whereas the EU has recalled that the situation in the Gaza Strip has to be seen within the broader context of the Middle East Peace Process and has on various occasions reiterated its support for the Palestinian Authority to exert full control over Gaza;
- L. whereas the Palestinian Authority and Hamas continue to fight for political influence in the Palestinian territories to the detriment of Palestinian civilians; whereas Hamas has been ignoring its obligations according to the reconciliation agreement and attempted to assassinate the Palestinian Authority Prime Minister Hamdallah on 13 March 2018; whereas as a result of the failed assassination attempt, the Palestinian Authority refuses to pay salaries of Palestinians living in the Gaza Strip and has threatened to cut electricity supply to Gaza, exacerbating the situation for innocent civilians in the Gaza Strip;
- M. whereas on 1 August 2014 Hamas abducted and killed Hadar Goldin hours after a UN- and US-brokered humanitarian ceasefire came into effect between Israel and Hamas; whereas Hamas, an EU-designated terror organisation, refuses to return the remains of Hadar Goldin for burial, in serious violation of the Geneva Conventions and international humanitarian law;
- N. whereas on 22 December 2017 the UN Security Council held a special session on international humanitarian law and the repatriation of the remains of Hadar Goldin and Oron Shaul, in which the Security Council and other UN member states expressed unanimous solidarity with the Goldin and Shaul families and demanded the return of the remains of Hadar Goldin and Oron Shaul as they are being held in violation of international humanitarian law;

- O. whereas the resolution of the Arab-Israeli conflict remains a key priority for the international community; whereas efforts are ongoing to restart negotiations between Israelis and Palestinians, aimed at resolving the conflict;
1. Calls for the ceasing of all terrorist activities on the Gaza-Israel border and calls on Israel, while understanding its legitimate security concerns, to restrain from actions which may cause the loss of innocent Palestinian lives; condemns Hamas for the instigation of violence on the Israel-Gaza border;
 2. Recognises the Palestinian's right to peaceful demonstration while these demonstrations should adhere to strict principles of non-violence and should not be exploited for other means; calls on those leading the protests in Gaza to not breach the Israel-Gaza border and to avoid provocations and incitement to murder and violence;
 3. Recognises Israel's security challenges and the need to protect its territory and borders while using proportionate means;
 4. Calls for an urgent need to establish the facts, including the role Hamas has played in the violence, and respect for international law; welcomes in this regard the Fact Finding Assessment Mechanism established by the Israeli army to review IDF actions and specific incidents that have taken place on the Israeli-Gaza border since 30 March 2018;
 5. Reiterates the call to avoid any further escalation and loss of lives; supports Egyptian and Saudi Arabian efforts to de-escalate tensions and calls on the Palestinian Authority to use greater leverage to ensure calm on the Israel-Gaza border;
 6. Believes that the situation in the Gaza Strip has to be seen within the broader context of the Middle East Peace Process and has on various occasions reiterated its support for the Palestinian Authority to exert full control over Gaza;
 7. Calls for all violence to end and for a return to direct bilateral peace negotiations aiming to achieve a negotiated two states for two peoples solution with the mutual recognition of Palestine and Israel as the homelands of their respective peoples;
 8. Strongly condemns rocket fire by terrorist groups into Israeli territory and underlines the danger of escalation; stresses the imperative need for the EU to work in partnership with Israel, the Palestinian Authority, Egypt, Jordan and the United States towards preventing the rearming of terrorist groups in the Gaza Strip and the West Bank, as well as their smuggling of weapons, manufacturing of rockets and building of tunnels; stresses once more the EU's call for the overwhelming need for all militant groups in Gaza to disarm;
 9. Expresses concern about the economic and humanitarian situation in the Gaza Strip and condemns the continued use of terrorism on the part of the de facto authorities in Gaza; reiterates the need for the Palestinian Authority to take charge of the Gaza Strip and calls on Hamas to fully adhere to the Quartet principles;
 10. Offers its condolences to the families of Israeli soldiers Hadar Goldin and Oron Shaul;

deplores the refusal by Hamas to return their remains to Israel for burial;

11. Calls for all efforts to be made for the immediate repatriation of their remains, in line with the provisions of the UNSC special session of 22 December 2017 and the relevant Geneva Conventions and humanitarian law;
12. Calls for the release of Israeli citizens Avraham Mengistu and Hisham Al-Sayed, who have not committed any crime or offence that justifies their captivity by Hamas in the Gaza Strip;
13. Believes that conflict and instability on Israel's borders negatively affect the prospects of a resolution of the Israeli-Palestinian conflict; stresses that the continued absence of Palestinian unity along with Gaza's illicit arms build-up, militant activity, repurposing of internationally donated funds and supplies for terrorist purposes, failure to recognise the right of Israel to exist, and the dire humanitarian situation in Gaza feed instability and ultimately impede efforts to achieve a negotiated solution;
14. Stresses the responsibility of the relevant EU authorities in continuing to ensure that no EU funding can be directly or indirectly diverted to terrorist organisations or activities that incite violence or justify or glorify terrorism;
13. 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 EU Special Representative for the Middle East Peace Process, the governments and parliaments of the Member States, the Middle East Quartet Envoy, the Knesset and the Government of Israel, the President of the Palestinian Authority and the Palestinian Legislative Council, the Parliament and Government of Egypt, the Parliament and Government of Jordan, the Gulf Cooperation Council and the member states of the Arab League.