



Plenary sitting

B9-0554/2022

9.12.2022

MOTION FOR A RESOLUTION

to wind up the debate on the statement by the Commission

pursuant to Rule 132(2) of the Rules of Procedure

on the prospects for the two-state solution for Israel and Palestine
(2022/2949(RSP))

Manu Pineda, Chris MacManus, João Pimenta Lopes, Marc Botenga
on behalf of The Left Group

**European Parliament resolution on the prospects for the two-state solution for Israel and Palestine
(2022/2949(RSP))**

The European Parliament,

- having regard to the Charter of the United Nations,
- having regard to the Geneva Conventions of 1949 and the additional protocols thereto,
- having regard to UN General Assembly Resolution 181 (II) of 29 November 1947 on the partition of Palestine,
- having regard to UN General Assembly Resolution 194 of 11 December 1948 on the principles for reaching a final settlement and the returning of Palestine refugees to their homes,
- having regard to UN General Assembly Resolution 302 (IV) of 8 December 1949 on assistance to Palestine refugees,
- having regard UN General Assembly Resolution 77/23 of 30 November 2022 entitled ‘Division for Palestinian rights of the Secretariat’, in particular paragraph 6 thereof, which calls for the commemoration of the 75th anniversary of the Nakba,
- having regard to subsequent UN resolutions on the situation in Palestine/Israel,
- having regard to the Rome Statute of 1998,
- having regard to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) of 1968,
- having regard to the statements of the UN Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967,
- having regard to the Oslo Accords between the State of Israel and the Palestine Liberation Organisation of 1993 and 1995,
- having regard to the Euro-Mediterranean Agreement of 2000 establishing an association between the EU and its Member States, of the one part, and the State of Israel, of the other and in particular to Article 2 thereof,
- having regard to the statements of the High Representative of the Union for Foreign Affairs and Security Policy on the situation in Palestine/Israel,
- having regard to the seven written statements by human rights organisations Al-Haq, Law in the Service of Man, Al-Mezan Centre for Human Rights, Cairo Institute for Human Rights Studies, Community Action Centre, the Civic Coalition for Palestinian Rights in Jerusalem, the Palestinian Centre for Human Rights and the Palestinian NGOs

Network, submitted ahead of the 46th session of the UN Human Rights Council of February 2021,

- having regard to the report entitled ‘A regime of Jewish Supremacy from the Jordan River to the Mediterranean Sea: This is apartheid’, published by the Israeli Information Centre for Human Rights in the Occupied Territories B’Tselem in January 2021,
 - having regard to the report entitled ‘Israel’s apartheid against Palestinians: a cruel system of domination and crime against humanity’, published by Amnesty International in February 2022,
 - having regard to Rule 132(2) of its Rules of Procedure,
- A. whereas UN General Assembly Resolution 181 (II) of 29 November 1947 recommended the creation of two independent states, one Arab and one Jewish, in the territory of historical Palestine; whereas this has not been fulfilled and the State of Israel continues to occupy Palestinian territory and deny the Palestinian population their right to self-determination;
- B. whereas the exodus of the Palestinian population following the partition of Palestine in 1948, which led to the destruction of more than 400 Palestinian towns and villages in the process known as the Nakba, as well as the 1967 Six-Day War, have led to the creation of over 5.6 million UN registered Palestine refugees, many of whom continue to live in camps in the West Bank, the Gaza Strip, Jordan, Syria, and Lebanon;
- C. whereas Israel continues its military occupation of Syrian and Lebanese territory in the Golan Heights and the Shebaa Farms, which it has occupied since 1967;
- D. whereas the set of agreements between the Palestine Liberation Organisation and Israel known as the Oslo Accords and signed in 1993 and 1995 intended to create a Palestinian State within the borders of the territories occupied by Israel in 1967 in the West Bank and the Gaza Strip; whereas despite the fact that the Palestinian side has fulfilled all the commitments made during the negotiations, Palestine has still not been granted any form of statehood and continues to be under military occupation;
- E. whereas the Israeli authorities have refused to fulfil their obligations as an occupying power in accordance with the Geneva Conventions and continue to deny basic needs such as medical supply or shelter to the Palestinian population; whereas the continued expansion of settlements in East Jerusalem and the West Bank is a violation of Article 49 of the Fourth Geneva Convention which forbids any occupying power to transfer its own population to the territory it occupies; whereas the state of Israel has imposed a system with different sets of rights and obligations on the people inhabiting one single territory according to their national or ethnic origin; whereas this system has been repeatedly described as apartheid by Palestinian, Israeli and international organisations;
- F. whereas Israel has subjected the Gaza Strip to a land, air and sea blockade since 2007, which has severely impacted the livelihoods of the local population; whereas this blockade not only stops the movement of people but also limits their access to basic good by restricting the entry of consumer goods including foodstuffs, stationery, construction materials, cultural products or livestock into the Gaza Strip, as well as their

access to fishing in their own territorial waters; whereas the blockade's severe impact on the economy has entailed losses of over 50 % of gross domestic product and made over 80 % of the population dependant on some form of external aid;

- G. whereas Israel continues to have a direct military presence on the ground in the West Bank, including in areas in which they have formally given all competences to the Palestinian Authority; whereas this military presence is used to enforce restrictions on the movement of the Palestinian population, arbitrarily detain and arrest people or practice searches without any kind of due process or legal guarantees; whereas the Israeli military routinely use live ammunition against Palestinians in the West Bank and have murdered more than 140 Palestinians during the present year alone;
- H. whereas there are over 670 000 Israeli citizens illegally living in East Jerusalem and the West Bank in Israeli settlements on occupied territory; whereas these settlements continue to expand and the Israeli Government authorised 14 894 new housing units on occupied land in 2021; whereas these new settlements are built in a planned way in order to achieve certain goals such as the isolation of East Jerusalem from the main population centres of the West Bank; whereas violent settlers continue to systematically attack the Palestinian population, as well as their towns, homes, crops and livestock; whereas only in the period between January and September 2022, there were 1 049 documented attacks against Palestinians;
- I. whereas the Israeli occupation authorities continue with the systematic practice of forcing the demolitions of Palestinian homes, infrastructure, and even entire villages such as in the recent case of Masafer Yatta, an area inhabited by over 700 Palestinians that the military intends to confiscate for its own use; whereas 65 structures have been demolished by the Israeli authorities so far this year, including schools and other types of basic community centres; whereas eight of these structures were EU funded;
- J. whereas since 2003, Israel has been building a concrete wall which will have a total length of 708 km if completed according to plan; whereas 85 % of this wall runs within the Palestinian territory, up to 18 km away from the internationally recognised borders of the West Bank; whereas Palestinian land was forcibly confiscated without any compensation for the construction of this wall; whereas it has restricted the access of Palestinians living in its vicinity to their own crops and water resources;
- K. whereas 1.9 million Palestinians with Israeli citizenship live within the internationally recognised borders of the state of Israel and, despite representing 21 % of the population, they own under 3 % of the land; whereas Israeli authorities have approved discriminatory measures against these citizens which have resulted in the confiscation of their property, their prohibition from living in certain towns and villages, or the refusal to recognise their villages and therefore the denial of access to basic services;
- L. whereas there are 4 760 Palestinian political prisoners in Israeli prisons; whereas these include 160 children; whereas studies conducted by Save the Children have reported that 81 % of Palestinian children detained by the Israeli authorities endured physical beatings, 89 % suffered verbal abuse, 52 % were threatened with harm to their families and 47 % were denied contact with a lawyer;
- M. whereas there are currently 820 Palestinians placed in what is known as 'administrative

detention', that is, detained without any known charges or any form of due process;

- N. whereas 32 journalists have been killed by the Israeli military while performing their job since 2000, including well-known Al Jazeera correspondent Shireen Abu Akleh, killed on 11 May 2022 by a shot in the head from the Israeli Defence Forces while they were raiding a refugee camp in the West Bank town of Jenin;
- O. whereas Israel has killed 183 Palestinians since the start of 2022 in the occupied West Bank and Gaza Strip, including 26 since the start of October; whereas 51 of these were from the besieged Gaza Strip, with most killed during the massive Israeli offensive in August; whereas 35 were children – 19 from the occupied West Bank and 16 from the Gaza Strip;
- P. whereas human rights organisations and NGOs suffer severe restrictions to their work by the Israeli occupation authorities, including harassment and detention of their workers and raiding of their premises; whereas six well-known Palestinian human rights organisations and civil society groups (Addameer, Al-Haq, Defence for Children International – Palestine, the Union of Agricultural Work Committees, the Bisan Center for Research and Development, and the Union of Palestinian Women's Committees) were all designated as terrorist organisations by the Israeli Ministry of Defence; whereas the UN High Commissioner for Human Rights and the EU High Representative for Foreign Affairs and Security Policy have condemned this move as an attempt to silence Palestinian civil society;
- Q. whereas the Israeli authorities have total control over information and communication technology (ICT) in the Palestinian territory; whereas Palestinians see their freedom of expression and right to privacy violated by mass surveillance technologies, including facial recognition cameras, drones and spyware; whereas these technologies and tactics not only contribute to the shrinking space for Palestinian civil society and human rights defenders, but endanger the well-being and safety of all Palestinians;
- R. whereas relations between the EU and Israel are based on the Association Agreement (2000), which states in its Article 2 that the Agreement is based on respect for human rights and democratic principles; whereas the last EU-Israel Association Council meeting took place on 3 October 2022 after 10 years without having been convened;
- S. whereas Israel has been associated to the EU's research and innovation framework since 1996, participating in key programmes such as Horizon Europe; whereas the EU has awarded funding through such frameworks to companies developing military technology such as Elbit Systems (awarded over EUR 3.7 million) and Israel Aerospace Industries (awarded over EUR 5.7 million) which have developed the drone technologies used in Israel's repeated attacks on Gaza; whereas academic institutions based in illegal Israeli settlements, such as Ariel University, have also benefitted from EU funding;
- T. whereas the EU has awarded the aforementioned Israeli military technology companies contracts worth EUR 59 million for the supply of war drones tested in the Gaza Strip for the surveillance of migrants and asylum seekers in the Mediterranean; whereas the value of EU arms sales to Israel is estimated to be around EUR 200 million per year;

- U. whereas in the framework of the Southern Neighbourhood partnership, the EU provides vital funding to the Palestine, including support specifically earmarked for the health sector and development programmes focused on job creation and access to water and energy; whereas Israeli authorities routinely demolish key infrastructure funded by international donors to provide basic services, most recently the EU-funded Sfai school in Masafer Yatta, demolished on 23 November; whereas currently, 55 EU or Member State-funded structures valued at over EUR 222 000 have stop-work or demolition orders;
- V. whereas the EU recognises the Palestine Liberation Organization as the sole representative of the Palestinian people; whereas nine out of 27 Member States recognise the state of Palestine;
- W. whereas Ireland became the first Member State to vote in favour of defining the Israeli settlement in Palestinian territory as annexation, following a resolution the Dáil tabled by the Sinn Féin party on 26 May 2021;
- X. whereas Mossad agents used forged Irish passports in 2010 to assassinate Mahmoud al-Mabhouh, a Palestinian activist, in the United Arab Emirates; whereas the Israeli Ambassador Zeev Boker at the time refused to rule out a repeat in the future;
- Y. whereas 71.5 % of UN Member States (138 out of 193) recognise the state of Palestine; whereas 85 % (165 states) recognise the state of Israel; whereas UN General Assembly resolution 67/19 recognised the State of Palestine as a non-member observer, therefore allowing it to participate in the UN General Assembly;
- Z. whereas on 11 November 2022, the UN General Assembly voted to request an opinion of the International Court of Justice concerning Israel's prolonged occupation, settlement and annexation of Palestinian territory, violating the Palestinians' right to self-determination;
- AA. whereas there is an ongoing investigation at the International Criminal Court concerning war crimes committed in Palestine, including the establishment of settlements in East Jerusalem and the West Bank and the targeting of civilian infrastructure during the 2014 attack on Gaza; whereas, despite Israeli attempts to refute this, the International Criminal Court has ruled that it does have jurisdiction over Palestinian territory;
- AB. whereas academics, activists and social and political representatives are routinely banned by the Israeli authorities from entering Israeli or Palestinian territory; whereas the last two UN Special Rapporteurs on the situation of human rights in the Palestinian territory, Michael Lynk and Richard Falk were repeatedly prevented from entering Palestinian territory; whereas current UN Special Rapporteur Francesca Albanese is set to visit Palestine in the near future;
- AC. whereas individual Members of the European Parliament have been banned from entering Israeli and Palestinian territory by the Israeli authorities, including during official European Parliament visits; whereas the Chair of the Delegation for Relations with Palestine was banned from entering Palestine in May 2022 for an official European Parliament mission in a clear attempt to deter the Delegation for Relations with Palestine from carrying out its duties; whereas the European Parliament has been

banned by the Israeli authorities from visiting the Gaza Strip for over a decade;

- AD. whereas peaceful expressions of solidarity with the Palestinian people have been criminalised in several Member States; whereas administrations such as local authorities which have taken the democratic decision to terminate or not to sign contracts with companies linked to the ongoing occupation of Palestine have been subjected to judicial harassment;
- AE. whereas Israel continues to be ambiguous about its own military status and has not signed or ratified the NPT; whereas the General Conference of the International Atomic Energy Agency has repeatedly passed resolutions calling on Israel to open its nuclear facilities for IAEA inspection; whereas Israel has repeatedly refused any form of cooperation with the IAEA;
- AF. whereas it is estimated that over 90 % of the Gaza Strip's water supply is contaminated and unfit for human consumption; whereas Israel does not allow any kind of water transfer into the Gaza Strip; whereas Israel controls the collection of rain water, fresh water springs, and other key natural resources throughout the West Bank; whereas there are 180 Palestinian communities without access to running water;
- AG. whereas the role of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) in providing basic services and livelihood support to over 5.6 million Palestine refugees is key to ensuring stability and peace within Palestine and on a regional level; whereas current underfunding of the agency jeopardises its essential work; whereas pursuant to UN General Assembly resolution 194 of 11 December 1948, Palestine refugees are entitled to return to their homes at the earliest practicable date, and compensation should be provided for those who choose not to return or whose property has been lost or damaged;
1. Reiterates its support for a two-state solution based on the internationally recognised 1967 borders;
 2. Underlines the inalienable right of the Palestinian people to self-determination and therefore their right to an independent, democratic, viable state of Palestine on Palestinian land, with territorial contiguity and East Jerusalem as its capital, living side by side in peace and security with the state of Israel, in full respect of international law;
 3. Calls for the immediate and unconditional withdrawal of Israel from all the territories under its military occupation;
 4. Strongly opposes all actions that undermine the viability of the two-state solution;
 5. Stresses that any possible agreement must take into consideration a just and acceptable solution for Palestine refugees, who have the right to return to their homes in accordance with the relevant UN resolutions, as well as the right to be compensated for any loss or damage of property;
 6. Calls on all Member States to recognise the state of Palestine; highlights that meaningful and fair negotiations cannot take place if both parties are not put on an equal footing and that international recognition and normalised diplomatic relations with the

state of Palestine are therefore a prerequisite for these negotiations;

7. Expresses solidarity with all victims of the ongoing conflict and stresses the need to ensure accountability for all the crimes committed, as well as an end to incitement and violence by all parties to the conflict; expresses support for the International Criminal Court's ongoing investigation regarding war crimes committed in Palestine and expects the EU to show support and willingness to contribute to this process to ensure that victims receive remedy; calls for recent submissions by Al-Haq, Al-Mezan and the Palestinian Centre for Human Rights to expand the object of the investigation to include crimes committed during the 2021 attack on the Gaza Strip, as well as for the submissions made regarding the killing of journalist Shireen Abu Akleh to be taken into consideration by the Court;
8. Reminds the Israeli authorities of their obligation as an occupying power under the Geneva Conventions, including those towards the Palestinian civilian population which they have systematically violated; recalls that under Article 49 of the Fourth Geneva Convention, the transfer of population into East Jerusalem and the West Bank is a war crime; calls, therefore, for an immediate halt to the construction of further Israeli settlements on Palestinian territory and for existing ones to be dismantled; stresses that the EU and the international community must take steps to ensure an end to the policy of settlement building;
9. Highlights the importance of Palestinian unity and calls on all Palestinian forces, without exclusions, to resume efforts towards reconciliation, notably through the holding of the long overdue presidential and legislative elections throughout Palestine, including in East Jerusalem;
10. Stresses that producers and importers to the EU have the legal obligation to differentiate and correctly label products produced in the internationally recognised Israeli territory and those produced in the illegal Israeli settlements in East Jerusalem and the West Bank; urges the EU to stop products from illegal Israeli settlements from entering the Union in order to prevent companies operating there from continuing to expand and profit from the occupation;
11. Calls on the Israeli authorities to release all Palestinian political prisoners with no further delay, particularly children; urges the authorities to end the practice of administrative detention which goes against the most basic international standards regarding every person's right to a due process;
12. Urges Israeli authorities to end the blockade of the Gaza Strip as a basic step towards putting an end to the dire humanitarian situation they have generated there; calls on Israel to allow access for humanitarian services, journalists, and other international actors to the Gaza Strip, as well as putting an end to the ongoing restrictions on the entry of goods; calls on the EU and the international community to take steps to bring an end of the blockade;
13. Recalls the need to ensure the freedom of movement of all Palestinians, both into the Gaza Strip and around the West Bank and East Jerusalem; highlights that ongoing restrictions on freedom of movement have had a direct impact on the possibility of fulfilling other rights and freedoms, including access to healthcare and education;

14. Highlights that the Palestinian people have the right to use their own natural resources, including water resources, energy resources and agricultural land on their own territory, and that many of these, due to the geographical nature of the region, must be shared between Israelis and Palestinians and other peoples in the region; calls on the EU to promote further cooperation with the Palestinian Authority in order to promote the democratic and sustainable management of its resources, as well as to promote regional cooperation on these issues;
15. Calls on the Israeli authorities to immediately remove the wall they have built on Palestinian territory and dismantle the system of checkpoints, facial recognition cameras and other population control devices they have installed on occupied territory;
16. Calls on the Israeli authorities to put an end to the practice of house demolition as a way to impose collective punishment on Palestinians and control the territory; urges the Israeli authorities equally to halt the systematic demolition and confiscation of infrastructure donated by the international community to ensure access to basic rights such as healthcare and education;
17. Stresses that the EU-Israel Association Agreement is, according to its Article 2, based on the fulfilment of human rights criteria, and emphasises these as a guiding principle; calls for the suspension of the Association Agreement until there are clear guarantees for bringing an end to the systematic violations of the human rights of the Palestinian population; calls on the EU to re-engage in the facilitation of new attempts for direct peace talks and support the development of cooperation strategies in the region;
18. Highlights that every year, Israel demolishes EU-funded infrastructure, including schools, health centres, and other community facilities worth hundreds of thousands of euros; underlines that the EU must demand reconstruction when possible, or compensation from the Israeli authorities for the destruction of EU-funded infrastructure; highlights that in June 2022, 55 structures funded by the EU or its Member States, valued at more than EUR 222 000, received stop-work or demolition orders; notes that the majority of these structures were in Masafer Yatta and that in total, since 2016, Israeli damage to EU structures in Palestine is valued at around EUR 2 255 620;
19. Calls for an audit on the final use of all EU-funded projects and programmes in Israel in order to ensure that no EU money is used to develop military technology or surveillance programmes, or serves to perpetuate the occupation in any way; calls for the immediate suspension of any form of cooperation between the EU and institutions based in illegal Israeli settlements in East Jerusalem or the West Bank;
20. Urges the European Union to immediately halt all transfers of arms and military technology to Israel, as well as other countries in the region involved in armed conflicts, in accordance to Common Position 2008/944/CFSP;
21. Calls on the Israeli authorities to immediately repeal the categorisation of the six Palestinian social and human rights organisations as terrorist organisations; highlights the difficulties this has caused them in carrying out their tasks, which the EU has supported, and the harassment that Palestinian civil society is subjected to by the Israeli authorities; urges the Israeli authorities to immediately liberate Khitam Saafin, President

of the Union of Palestinian Women's Committees; calls on the European External Action Service to continue to collaborate with these organisations as partners;

22. Highlights the positive impact EU funding has on the daily livelihoods of Palestinians, particularly in key sectors including healthcare and access to water and energy; underlines that these funds should reach their beneficiaries in due time and not be suspended or frozen under unproven claims;
23. Urges Israel to sign and ratify the NPT and to disclose its nuclear status and dismantle any nuclear weapons it may have in order to achieve a denuclearised region, in accordance with the resolution on the Middle East adopted at the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons;
24. Calls on the Israeli authorities to repeal laws discriminating against Palestinian citizens of Israel and imposing on them different rights than other citizens, including those regulating access to housing or the acquisition and loss of citizenship; calls on the High Representative for Foreign Affairs and Security Policy not to engage with prospective ministers of the new Israeli Government if they continue to support and deepen racist policies and actions;
25. Reaffirms UNRWA's essential contribution to the livelihoods of Palestine refugees in a difficult context of increasing humanitarian and development needs; urges the EU and the international community as a whole to increase both political and financial support to the Agency in order to ensure it is able to fulfil its mandate;
26. Calls on the Israeli authorities to allow entry into Palestine for academics, NGO and humanitarian workers, activists, political representatives, and other people who are currently often prevented from entering; highlights that this situation is a consequence of Palestinians not having control over their own borders;
27. Stresses that if Members of the European Parliament continue to be prevented from visiting Palestine, including the Gaza Strip, the EU should impose reciprocal measures regarding the entry of Israeli political representatives;
28. Expresses support for popular initiatives in Palestine, Israel, and around the world aimed at ensuring a just and peaceful solution; condemns any form of criminalisation of these initiatives;
29. Instructs its President to forward this resolution to the President of the European Council, the President of the Commission, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the presidents of the parliaments of the Member States, the Knesset, the Government of Israel, the Palestinian Authority, the Secretary-General of the United Nations, the Secretary-General of the Union for the Mediterranean, and the League of Arab States.