



Plenary sitting

B9-0556/2022

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))

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on behalf of the Verts/ALE 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 its previous resolutions on the Israel-Palestine conflict,
- having regard to the past statements by High Representative of the Union for Foreign Affairs and Security Policy Josep Borrell, including that of 22 August 2022 on the Israeli raids on six Palestinian civil society organisations,
- having regard to the statement by the Spokesperson of the European External Action Service (EEAS) of 5 November 2022 on the Israeli demolitions of Palestinian structures,
- having regard to the EEAS report of 20 July 2022 entitled ‘2021 Report on Israeli settlements in the occupied West Bank, including East Jerusalem’,
- having regard to the EEAS report of 14 February 2022 entitled ‘One Year Report on Demolitions and Seizures in the West Bank, including East Jerusalem’,
- having regard to the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the State of Israel, of the other part¹, and to the EU’s position for the 12th meeting of the EU-Israel Association Council, held in Brussels on 3 October 2022,
- having regard to the Euro-Mediterranean Interim Association Agreement on trade and cooperation between the European Community, of the one part, and the Palestine Liberation Organization (PLO) for the benefit of the Palestinian Authority of the West Bank and the Gaza Strip, of the other part²,
- having regard to the Commission’s Interpretative Notice of 11 November 2015 on indication of origin of goods from the territories occupied by Israel since June 1967³,
- having regard to the Updated EU Guidelines on promoting compliance with international humanitarian law⁴ and to the EU Guidelines on Human Rights Defenders,
- having regard to the UN Security Council resolutions on the Israel-Palestine conflict, notably Resolution 2334 (2016), adopted on 23 December 2016,
- having regard to the Declaration of Principles on Interim Self-Government

¹ OJ L 147, 21.6.2000, p. 3.

² OJ L 187, 16.7.1997, p. 3.

³ OJ C 375, 12.11.2015, p. 4.

⁴ OJ C 303, 15.12.2009, p. 12.

Arrangements of 13 September 1993 (the Oslo Accords),

- having regard to the Arab Peace Initiative of 2002,
 - having regard to the report of the UN Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967 of 21 September 2022,
 - having regard to the UN human rights conventions and international humanitarian law treaties to which Israel, Palestine and the EU Member States are States Parties,
 - having regard to the Rome Statute of the International Criminal Court,
 - having regard to the ongoing European Citizens Initiative entitled ‘Ensuring Common Commercial Policy conformity with EU Treaties and compliance with international law’,
 - having regard to the Jerusalem Declaration on Antisemitism of 25 March 2021,
 - having regard to Rule 132(2) of its Rules of Procedure,
- A. whereas the EU is united in its commitment to the two-state solution – based on the 1967 Green line and the parameters set out in the Council conclusions of 22 July 2014 – that would allow Israel and a sovereign and contiguous Palestinian state to live side by side in peace, security and mutual recognition, with Jerusalem serving as the capital of both states;
- B. whereas over many years, the peace process between Israel and Palestine has come to a standstill and the international community, notably the EU and its Member States, has become increasingly disengaged with regard to its resolution; whereas the conflict remains a strong preoccupation within public opinion across Europe;
- C. whereas the daily realities of violence, including regular outbursts of armed conflict and brutal acts of terror, and protracted occupation are serious impediments to the peaceful settlement of the conflict;
- D. whereas Israeli settlement building is continuing unabated, particularly in East Jerusalem; whereas in 2021, Israel constructed 22 030 new settlement units, which constitutes a significant rise compared to 2020; whereas according to the Office of the European Union Representative, the establishment of Israeli settlements increased exponentially in 2021 compared to 2020, deepening a years-long trend of increasing settlement expansion; whereas leading members of the incoming Israeli coalition government, including Bezalel Smotrich, whose Religious Zionist party will have a minister in the defence ministry responsible for overseeing Israeli settlements in the West Bank, have expressed their intention to expand settlements, to transfer responsibility for the civil administration of the West Bank and to formally annex it;
- E. whereas UN Security Council Resolution 2334 (2016) reiterated that establishing settlements in the Palestinian Authority occupied since 1967, including Jerusalem, is illegal;

- F. whereas the Palestinian people have the right to self-determination as enshrined in the UN Charter and as repeatedly upheld by UN bodies, including the General Assembly, the Security Council and the Human Rights Council / Commission on Human Rights;
- G. whereas major Israeli, Palestinian and international human rights organisations, as well as several UN Special Rapporteurs, including Special Rapporteur Francesca Albanese in her most recent report from September 2022, have frequently denounced inhumane acts and other abuses of fundamental freedoms by Israeli authorities in the occupied Palestinian territories and have concluded that the Israeli Government systematically oppresses and institutionally discriminates against Palestinians across Israel and the occupied Palestinian territories;
- H. whereas in March 2021, the International Criminal Court opened a preliminary investigation into the situation in Palestine;
- I. whereas according to the Office of the European Union Representative, in 2021, demolitions and seizures in the West Bank, including East Jerusalem, carried out by Israeli authorities reached a five-year high; whereas a total of 904 structures were demolished, out of which 140 were funded by the EU or EU Member States; whereas in 2021, 1 205 people were forcibly displaced, including 650 children, amounting to a 20 % increase in forced displacements in comparison to 2020;
- J. whereas in May 2022, the Supreme Court of Israel ruled that there were no legal barriers to the planned expulsion of Palestinian residents from Masafer Yatta and subsequently, homes, animal shelters and most recently a primary school were demolished, forcing residents off their land to allow for military training in the area;
- K. whereas annexation (de facto and de jure) is strictly prohibited under international law and constitutes a violation of the UN Charter and the Geneva Conventions; whereas the forceful acquisition of territory has been declared inadmissible by a number of UN Security Council resolutions; whereas there is a legal obligation for third parties to refrain from acts that may serve to recognise the unlawful situation resulting from annexation and a positive obligation to cooperate with other states to seek, through lawful means, the end of such an unlawful situation;
- L. whereas the Israeli Information Center for Human Rights in the Occupied Territories documented 270 instances of settler violence against Palestinians in the West Bank between January and July 2022;
- M. whereas according to the UN Office for the Coordination of Humanitarian Affairs, 168 Palestinians were killed by Israeli forces or settlers in the West Bank, the Gaza Strip and Israel between 1 January and 21 November 2022; whereas according to the same source, 19 Israelis were killed by Palestinian armed groups and individuals in the West Bank and Israel between 1 January and 15 November 2022;
- N. whereas according to the Palestinian Centre for Human Rights, the Israel Defense Forces (IDF) have conducted 8 094 incursions into the West Bank in 2022, including occupied East Jerusalem, during which 4 496 Palestinians were arrested, including 443 children; whereas the IDF has also conducted 34 limited incursions into the eastern Gaza Strip and arrested 105 Palestinians, including 64 fishermen;

- O. whereas UN experts have recalled that the Israeli deportation order against French-Palestinian activist Salah Hamouri could constitute a war crime and that forcibly deporting protected persons from the occupied territory and forcing their allegiance to the occupying power constitute grave breaches of international humanitarian law;
- P. whereas on 18 August 2022, the IDF raided, sealed and closed the offices of six Palestinian non-governmental organisations: Al-Haq, Addameer, the Union of Palestinian Women's Committees, the Union of Agricultural Work Committees, the Bisan Center for Research and Development and Defense for Children International – Palestine;
- Q. whereas a coalition of human rights organisations has uncovered and condemned the hacking of six Palestinian human rights defenders' devices via the NSO Group's Pegasus spyware; whereas three of the targeted human rights defenders come from prominent Palestinian civil society groups;
- R. whereas according to credible reports, over the past two years, the Israeli military has rolled out a broad surveillance effort in the occupied West Bank to monitor Palestinians by integrating facial recognition with a growing network of cameras and smartphones; whereas Palestinians in the occupied territories are disproportionately affected by surveillance systems;
- S. whereas the Gaza Strip has been under blockade for 15 years, entrapping two million inhabitants in a 40-by-11 square kilometre area; whereas according to the World Bank, 53 % of Gaza Strip residents live under the poverty line; whereas according to Physicians for Human Rights – Israel, Israeli occupation, including the siege of the Gaza Strip, has had a devastating impact on healthcare for Palestinians, as many people have been denied access to medical care and face a severe shortage of essential drugs, medical devices, and specialised health personnel;
- T. whereas on 20 October 2022, Israel's Coordination of Government Activities in the Territories (COGAT) released a new procedure for the entry of foreigners to the areas of Judea and Samaria, requiring all foreigners, including EU citizens, to request a permit to enter the West Bank as from October 2022; whereas the new COGAT rules have the potential to restrict the ability of foreigners to visit their Palestinian spouses, as well as the ability of volunteers, academics and business people to travel and work in the West Bank;
- U. whereas the EU and Israel enjoy institutionally close and comprehensive relations and have recently resumed their Association Council; whereas the EU has consistently supported Israel's right to exist with secure borders; whereas the EU and Israel maintain close relations in the fields of trade (the EU accounts for one third of Israel's trade, imports around EUR 15 billion worth of goods and services from Israel and imports 15 times more goods from Israeli settlements (without preferential tariffs) than from Palestinians in the same territory), agriculture, aviation, research, culture, cross-border cooperation and police cooperation; whereas Israel benefits from the Horizon Europe programme for research and innovation, the Creative Europe programme for culture and the Erasmus+ programme for education cooperation;
- V. whereas Egypt, France, Germany and Jordan created the Munich Format in 2020;

whereas the foreign ministers of the Munich Format met four times in 2020, once in Paris in 2021 and again in New York in 2022 with a view to advancing the Middle East peace process towards a just, comprehensive and lasting peace on the basis of the two-state solution;

- W. whereas the UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) faces comprehensive challenges in upholding its mandate, which was recently renewed until June 2026 by the UN General Assembly;
1. Reiterates its long-held position that the two-state solution on the basis of the 1967 borders, with Jerusalem as the capital of both states, is the only way to achieve lasting and fair peace between Israelis and Palestinians and to foster regional stability;
 2. Deplores that the peace process between Israel and Palestine has come to a standstill and that the EU and its Member States have done little to advance their stated policy goals and hold all actors accountable for conduct that runs counter to the peace process;
 3. Calls on the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy (VP/HR), the EU Special Representative for the Middle East Peace Process, the EEAS and the EU Member States to renew their efforts to find a lasting solution to the Israeli-Palestinian conflict, including by initiating a strategy coordinated among the EU Member States to recognise Palestinian statehood; welcomes initiatives such as the Munich Format and encourages the EEAS and the EU Member States to take a European initiative to put the two-state solution back on track;
 4. Condemns the continued expansion of Israeli settlements, in particular the substantial advancement of settlement construction in East Jerusalem, which constitutes a flagrant violation of international law and represents a major impediment to the viability of and the prospects for the two-state solution; calls on the Israeli authorities to immediately halt and reverse their illegal settlement policy and immediately halt forced evictions, demolitions and seizures of structures in the occupied Palestinian territories, many of which were funded by the EU; calls for the EU to remain steadfast on this issue;
 5. Condemns unreservedly terror attacks against the Israeli population and missile attacks by militant Palestinian groups in the Gaza Strip;
 6. Calls on the Israeli authorities to comply with Israel's responsibilities and obligations as an occupying power under international law and to fully respect the human rights of Palestinians, including those in the occupied Palestinian territories; condemns civilian casualties and devastating damage to civilian objects and infrastructure by the IDF; calls on the IDF to comply with international humanitarian law and condemns the lack of accountability for violations; urges Israel to cease its widespread practice of holding hundreds of Palestinians, including children, in administrative detention without trial or charge based on secret evidence; calls on Israel to end any surveillance programmes in the West Bank and to respect Palestinian citizens' right to privacy;
 7. Condemns the deportation order for Salah Hamouri and urges the Israeli authorities to refrain from carrying it out, as that would constitute a grave breach of international humanitarian law; urges the Israeli authorities to immediately free Salah Hamouri; calls on the Israeli authorities to stop illegally transferring persons out of East Jerusalem and

to respect the rights of Palestinian residents therein;

8. Is appalled by the alarming increase in settler violence, and calls on the Israeli authorities to instruct the members of the IDF present in the West Bank to prevent any such incidents and to hold all perpetrators to account;
9. Condemns the closure of the Gaza Strip, which has had a devastating impact on the entrapped population and is fuelling radicalisation; calls on the Israeli Government to lift the blockade and allow the unrestricted passage of people and goods between the Gaza Strip, the West Bank and the rest of the world; calls on the Egyptian authorities to put an end to any restrictive measures on the movement of people and goods from and to the Gaza Strip;
10. Condemns the killing of Palestinian-American journalist Shireen Abu Akleh during an Israeli military raid in the West Bank, which, according to the Israeli military, could be with 'high possibility' attributed to IDF gunfire; urges Israel to prosecute those responsible for her death and to cooperate with international investigations;
11. Denounces human rights violations by states using the NSO Group's Pegasus spyware and calls for immediate, impartial and transparent inquiries into these abuses;
12. Takes note of the fact that a new Israeli coalition government led by Benjamin Netanyahu is currently being formed, and includes far-right, religious-nationalist, anti-Arab and anti-LGBTQI+ parties; calls for the EU to closely monitor the formation and first steps of the incoming Israeli Government and to respond accordingly;
13. Condemns the Palestinian Authority's systematic efforts to muzzle dissent, including by arbitrarily arresting critics and opponents, who are often then subjected to torture or other ill-treatment, and by restricting freedom of expression, association and assembly; condemns the killing by Palestinian forces of prominent activist and critic Nizar Banat, who was beaten to death while in custody, and deplores the persistent lack of accountability for his death;
14. Calls on all Palestinian forces to make genuine efforts towards national reconciliation; deplores the persistent failure to hold legislative and presidential elections in Palestine; calls for these elections to be held without delay and for the EU to provide all necessary political and technical assistance to facilitate this process, notably in East Jerusalem;
15. Calls on the VP/HR, the EU Special Representative for the Middle East Peace Process, the EEAS and the EU Member States to use all contacts with Israel to reiterate their insistence on an end to settlement expansion, the demolition of structures in the West Bank and the use of disproportionate force against Palestinians; reiterates its call on the Commission to demand financial reparations for the destruction of EU-funded structures in the West Bank, including East Jerusalem;
16. Calls on the EEAS, the Commission and the Member States to further develop a differentiation policy that distinguishes between Israel proper and the annexed and occupied territories, in line with UN Security Council Resolution 2334 (2016), and to further develop an EU policy to be applied consistently within the full scope of EU bilateral relations with Israel; urges the Commission and the Member States to

prevent EU-based companies from doing business with and in illegal settlements in the occupied territories;

17. Calls for the EU and its Member States to support all initiatives to uphold accountability for violations of international humanitarian and human rights law, notably through supporting the work of the International Criminal Court in investigating potential violations of the Rome Statute in the Palestinian territories and that of the UN Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and in Israel;
18. Calls on the VP/HR, the Commission and the EU Member States to voice their objections to Israel's new restrictive policy on the entry and stay of foreigners in the West Bank; calls on the VP/HR, the Commission and the EU Member States to remind Israel that it needs to abide by the reciprocity requirements under its visa-free regime with the EU;
19. Calls on the Commission to ensure compliance with European and international law in its disbursement of EU bilateral or regional funds to Israel, including in the context of its participation in EU programmes such as Horizon Europe;
20. Calls on the European Council and the Commission to consider adopting targeted measures against Israeli individuals leading the planning and implementation of settlement expansion in the West Bank, including East Jerusalem;
21. Underlines that the Commission should not suspend any funds to Palestinian civil society or the Palestinian Authority without tangible evidence of misuse; calls on Israeli authorities to reverse their designation of leading Palestinian civil society groups as 'terrorist organisations' and allow them to continue their vital work;
22. Calls for the EU to take the initiative to promote an immediate, global moratorium on the sale, transfer and use of spyware technology and to make efforts to establish an international ban on intrusive spyware systems;
23. Recalls that including the occupied Palestinian territories in an agreement between the EU and Israel on the exchange of personal data between Europol and the Israeli competent authorities would go against international law; shares the discontent expressed by Member States in the Council about such a potential inclusion;
24. Calls on the EU Delegation to Israel and on Member States' diplomatic missions in Israel to systematically meet and support human rights and peace activists, without whom the two-state solution will remain elusive; calls on the Commission to strengthen EU financial assistance to Israeli and Palestinian civil society and human rights defenders, notably to those advocating for equal rights and documenting human rights violations, and to enhance EU assistance to organisations working on Palestinians' rights and livelihoods in Israel, in the annexed territories and in the isolated enclaves;
25. Welcomes the EU's announcement of its intention to commit to multiannual funding for UNRWA and recalls the joint text on the EU general budget for the 2023 financial year, which specifically calls for additional contributions to UNRWA in 2023; appeals to the international community to continue supporting UNRWA politically and financially

with a sustainable funding scheme to preventively cushion the adverse effects of financial crises;

26. Deeply deplores that Parliament has been prevented from visiting the Gaza Strip for over a decade and that several of its Members are banned from entering Israel; calls for resolute action to lift these restrictions; calls for an ad hoc delegation to the Gaza Strip and the West Bank to assess the situation on the ground and encourage the resumption of European and international efforts towards a settlement of the conflict;
27. 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 Secretary-General of the United Nations, the United Nations Special Coordinator for the Middle East Peace Process, the Knesset and the Government of Israel and the President of the Palestinian Authority.