

WRITTEN QUESTION E-0517/09
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to the Commission

Subject: Association Agreement with Israel

In view of the upcoming European elections, there is all the more reason for the Commission and its President to tell the wider public what view they take of the legal aspects of the unproportional and deliberately brutal use of force by the Israeli army in Gaza. After all, any measure aimed at suspending the Association Agreement with Israel on the basis of a violation of the human rights provision would require a proposal from the Commission to the Council. More than 1 300 Palestinians have been killed in Israel's offensive, including more than 400 children, and 5 300 have been injured, according to UN medical sources. At least 13 Israelis have also died during the same period, three of them civilians. There are detailed reports from several organisations, including the UN, the International Committee of the Red Cross, Amnesty International, Human Rights Watch and many others pointing to blunt violation of the laws of war or, as Navi Pillay, the UN High Commissioner for Human Rights put it, the killings show 'elements of what would constitute war crimes' by the Israeli armed forces. These include the killings in Zeitun, the shelling of UN-designated schools housing refugees, the use of white phosphorus in civilian areas (including the shelling of the UNRWA headquarters in Gaza City), reckless and indiscriminate shelling of residential areas, attacks on clearly marked medical facilities, including the killing of 12 ambulance men in marked vehicles, and failing to assist wounded civilians, including the incident where surviving children clung to the bodies of their dead mothers for four days while the Israeli army prevented rescuers from reaching the wounded. In addition, Israel has not allowed the international media to report freely from inside Gaza, even since the withdrawal of its forces.

Would war crimes constitute a breach of the human rights provisions contained in Association Agreements between the EU and third countries?

Would this also apply to the Association Agreement with Israel, or does the Commission make allowances for Israel that it would not have for other states?