

WRITTEN QUESTION P-0478/09
by Stephen Hughes (PSE)
to the Commission

Subject: Association Agreement with Israel

In view of the upcoming European elections, it is more than pertinent for the President of the European Commission and the College to tell the wider public how they perceive the legal aspects of the disproportionate and deliberately brutal use of force by the Israeli army in Gaza. After all, any measure with a view to 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 in 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. Some of 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, attacking clearly marked medical facilities, including the killing of 12 ambulance men in marked vehicles, and failing to assist wounded civilians, including the incident in which surviving children clung to the bodies of their dead mothers for four days while the Israeli army blocked rescuers from reaching the wounded. In addition, Israel has not allowed the international media to report freely from inside Gaza, even after the withdrawal of its forces.

Would war crimes constitute a breach of the human rights provisions found in an association agreement between the EU and a third country?

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