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*Plenary sitting*

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**B9-0442/2023**

16.10.2023

## **MOTION FOR A RESOLUTION**

to wind up the debate on the statements by the Council and the Commission  
pursuant to Rule 132(2) of the Rules of Procedure

on the despicable terrorist attacks by Hamas against Israel, Israel's right to  
defend itself in line with humanitarian and international law and the  
humanitarian situation in Gaza  
(2023/2899(RSP))

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**B9-0442/2023**

**European Parliament resolution on the despicable terrorist attacks by Hamas against Israel, Israel's right to defend itself in line with humanitarian and international law and the humanitarian situation in Gaza (2023/2899(RSP))**

*The European Parliament,*

- having regard to its previous resolutions on the Israel-Palestine conflict,
  - having regard to the statement of 7 October 2023 by the High Representative on behalf of the European Union on the attacks against Israel and his press remarks after the informal meeting of EU Foreign Affairs Ministers of 10 October 2023,
  - having regard to the statement of 15 October 2023 of the members of the European Council on the situation in the Middle East,
  - having regard to the UN Security Council resolutions on the Israel-Palestine conflict,
  - having regard to the press release of 10 October 2023 of the UN Commission of Inquiry collecting evidence of war crimes committed by all sides in Israel and Occupied Palestinian Territories since 7 October 2023,
  - having regard to the statement of 10 October 2023 of the UN High Commissioner for Human Rights, Volker Türk,
  - having regard to the statement of 11 October 2023 of the foreign ministers of the League of Arab States,
  - having regard to the Updated EU Guidelines on promoting compliance with international humanitarian law<sup>1</sup>,
  - having regard to the Declaration of Principles on Interim Self-Government 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 Rule 132(2) of its Rules of Procedure,
- A. whereas in the early morning of 7 October 2023, Hamas and the Palestinian Islamic

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<sup>1</sup> OJ C 303, 15.12.2009, p. 12.

Jihad (PIJ) launched a terror attack against Israel and its people;

- B. whereas after shooting thousands of rockets into Israeli territory, Hamas and the PIJ broke through Israeli military posts and the security fence around Gaza or flew over the barrier in motorised hang-gliders, entered Israeli towns bordering Gaza and arbitrarily killed over 1 400 Israeli civilians and soldiers, and left thousands wounded; whereas for Israel the attacks of 7 October represent the highest fatalities in the country's history;
- C. whereas Hamas and the PIJ abducted at least 150 people from Israel, including many civilians and a number of EU nationals; whereas on 9 October Hamas threatened to kill hostages should Israel attack Gaza without warning;
- D. whereas since 7 October, the Israeli army has bombed several thousand Hamas and PIJ targets and, in the course of six days, dropped more than 6 000 bombs on Gaza; whereas over 2 600 Palestinians in Gaza have been killed, ten thousand wounded and over one million Gazans, half the Gaza Strip's population, have been displaced within the Strip so far; whereas according to Human Rights Watch in Israel, white phosphorus is being used in military operations in Gaza and Lebanon; whereas according to the UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), 14 of the UN agency's staff members have been killed as a result of the air strikes;
- E. whereas Israel imposed a 'complete siege' of the Gaza Strip on 9 October, cutting off electricity, food, water and fuel supplies; whereas the Israeli authorities have called on Palestinians in Gaza to leave the Gaza Strip, while all border crossings have been sealed off; whereas on 13 October the Israeli military demanded the relocation of 1.1 million Palestinians from northern Gaza to southern Gaza within 24 hours; whereas since 13 October hundreds of thousands of Palestinians have fled south, exposing themselves to the continuing air raids; whereas the Secretary-General of the Norwegian Refugee Council stated that such a transfer is neither possible nor legal without guarantees of safe return and the Office of the Spokesperson for the Secretary-General of the UN warned of 'devastating humanitarian consequences';
- F. whereas the Rafah border crossing from Gaza to Egypt remains closed; whereas according to reports, only some foreign passport holders will be allowed to leave Gaza through the border crossing; whereas hundreds of tonnes of aid from several countries have been held up in Egypt's Sinai Peninsula pending a deal for its delivery to Gaza;
- G. whereas according to the Israeli authorities, as many as 300 000 Israeli troops have been deployed near Gaza and are preparing a ground offensive;
- H. whereas since 7 October there have been several violent skirmishes between Hezbollah and the Israeli military in southern Lebanon;
- I. whereas the humanitarian and human rights situation in the occupied Palestinian territories has been deteriorating for years, in large part due to Israel's prolonged occupation of the Palestinian territories and the policies that sustain it; whereas the 16-year illegal blockade imposed on the Gaza Strip and periodic military incursions have led to a very critical humanitarian and socioeconomic situation and a near total dependency on foreign aid; whereas according to the World Bank, 53 % of Gazans live below the poverty line; whereas over half of the population in Gaza are minors;

- J. whereas following Hamas' victory in the 2006 Palestinian legislative elections, which was not recognised by the international community, including the EU, the militant group violently took over the Gaza Strip; whereas Hamas governs Gaza in an authoritarian way, systematically violating basic principles of human rights and the rule of law;
- K. whereas 30 years after the signature of the Oslo Accords, the Israel-Palestine conflict remains unresolved and the continuation of the occupation and violent confrontations have caused thousands of fatalities and immeasurable suffering; whereas on 18 September 2023, United Nations Special Coordinator for the Middle East Peace Process, Tor Wennesland, noted that the urgency of the moment calls for immediate renewed commitment and stepped-up action by both sides and the international community, in order to reverse the dangerous deterioration of the situation on the ground, the fragility of the Palestinian Authority and insufficient engagement between the parties;
- L. whereas the European Union, together with Saudi Arabia and the Arab League, in cooperation with Egypt and Jordan, launched the 'Peace Day Effort for Middle East Peace' on 18 September 2023 in New York, seeking to produce a peace supporting package that will maximise peace dividends for Palestinians and Israelis;
- M. whereas Hamas and the PIJ are listed on the EU terrorist list; whereas neither Hamas, nor the PIJ nor any other designated terrorist organisation or individual receives EU funds; whereas the European Union is a major donor to the Palestinian Authority and to UNRWA, which is the largest and oldest UN agency present in Gaza and delivers essential services to Palestine refugees;
- N. whereas Hezbollah is a proxy of the Iranian regime and the Islamic Republic supports Hamas with weapons and possibly training;
- O. whereas the International Criminal Court (ICC) opened an investigation in 2021 into war crimes and crimes against humanity in the occupied Palestinian territories; whereas on 10 October 2023 the Office of the Prosecutor of the ICC confirmed that the court's mandate applies to the current conflict situation;
1. Condemns in the strongest terms the brutal and deliberate terrorist attacks by terrorist organisations Hamas and the Palestinian Islamic Jihad (PIJ) against Israel and its people, which caused over 1 000 deaths and amount to war crimes; stresses that such heinous acts have no justification, and that all those responsible must be held to account;
  2. Expresses its deepest sorrow and full solidarity with the innocent victims on both sides, their families and loved ones;
  3. Calls on Hamas, the PIJ and Hezbollah to immediately cease attacks on Israel; calls on both parties to immediately cease hostilities and seek a ceasefire agreement;
  4. Is appalled by the kidnapping and ill treatment of over 150 hostages from Israel by Hamas and the PIJ, and calls for their immediate, unconditional and safe release; recalls that the taking of hostages is prohibited by international law;

5. Notes Israel's right to defend itself; recalls that this right has to be exercised in full compliance with international humanitarian law;
6. Expresses dismay at the rising civilian death toll and is highly concerned about the statement of the Office of the UN High Commissioner for Human Rights that there is already clear evidence that war crimes may have been committed in the latest explosion of violence in Israel and Gaza;
7. Urges all parties to exercise restraint and to immediately end violations of international humanitarian law, including direct attacks on civilians; the imposition of a siege; the use of illegal weapons; hostage-taking; indiscriminate and disproportionate attacks; forcible transfers; and collective punishment;
8. Expresses concern about the disproportionateness of the Israeli army's bombing of Gaza, which is aimed at Hamas and PIJ targets, but which has already caused over 2 600 deaths, wounded 10 000 and displaced a million people, the majority of whom are civilians, including children; urges the Israeli Government to stop the military attack on Gaza;
9. Urges the Israeli Government to immediately end the siege and restore access to food, water, electricity and gas, and ensure that these supplies, medical provisions and humanitarian aid reach Gaza residents; highlights that collective punishment is a war crime under international law; calls on the Israeli leadership to immediately reverse the impossible order for Palestinians to relocate within 24 hours; highlights that forcible transfer without guarantees of return is a war crime under international law;
10. Calls on Israel and Egypt to allow for humanitarian corridors to enable innocent civilians to leave Gaza and medical professionals to move safely and help the injured; recalls that such humanitarian corridors must include the right of safe return of Palestinians to Gaza; calls on the UN and the Commission to offer help to Egypt in setting up and financing temporary refugee shelters; calls on Egypt to receive refugees from Gaza; condemns the bombing of the Rafah crossing between Gaza and Egypt on 10 October and calls on the Israeli military to cease such attacks;
11. Asks the Government of Israel to reach out to the families of the hostages and consider diplomatic means to free the hostages and refrain from actions that put their lives at risk; calls on the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy (VP/HR) and the Member States to offer assistance to Israel to help free the hostages by diplomatic means, possibly in collaboration with relevant partners in the region;
12. Recalls that the Israeli-Palestinian conflict has been ongoing for decades and that the violence has continuously bred further violence and strengthened extremists; expresses its deep concern that relations and political dialogue between Israelis and Palestinians have entirely eroded over the past years and that the protracted occupation of Palestinian territory, including the record expansion of settlements, growing settler violence, demolitions, land confiscation and evictions, has created an untenable situation and multiple human rights crises that need to be addressed urgently; stresses that violence, terrorism and incitement are fundamentally incompatible with a peaceful resolution of the Israeli-Palestinian conflict;

13. Urges the VP/HR and the Member States to use all diplomatic means available to call on the parties involved to immediately cease hostilities and allow for the protection of civilians, and remind the actors involved of their duty to respect international humanitarian law;
14. Calls on the VP/HR and the Member States to address the root causes of the current conflict and, in coordination with partners in the region and the international community, to intensify efforts for a negotiated two-state solution, on the basis of the internationally shared understanding that this offers the best chance for a viable peace settlement, with the aim of ending the recurring violence and enabling people on the Israeli and Palestinian sides to live in security, freedom, dignity and with equal rights; calls on the VP/HR to capitalise on the 'Peace Day Effort for Middle East Peace', launched with the League of Arab States, Egypt, Jordan and Saudi Arabia, in order to revive the Arab Peace Plan;
15. Regrets that Commission President von der Leyen travelled to Israel on 13 October without a mandate from the European Council and considers that the more balanced statements by the VP/HR and the President of the European Council are more in line with the EU's long-standing position in support of international law and a peaceful solution to the conflict; calls on all EU representatives to adhere to the agreed policies and framework on the issue, and reiterates the need for all EU institutions to make coordinated efforts to advance towards the common recognition of the State of Palestine within the framework of the two-state solution;
16. Calls on the VP/HR, the Commission and the EU Member States to offer Israel any medical, psychological or technical assistance it may require in order to address the situation of the wounded and traumatised in the country;
17. Welcomes the Commission's announcement of 16 October that it will triple humanitarian assistance to Gaza and urges international donors to follow suit; urges Israel and Egypt to ensure that aid can be delivered on the ground to all those in need; recalls that Palestinians living in Gaza have long been subjected to human rights violations at the hands of both Hamas and the State of Israel;
18. Underlines the importance of the European Union's reliable development and humanitarian aid to the Palestinian people throughout the occupied Palestinian territory, provided both to the Palestinian Authority and UNRWA; stresses that Hamas's attacks are not grounds to withdraw or suspend all EU development aid to the Palestinian people; takes note of the Commission's announcement to review EU funds to Palestine and insists that this review should be carried out swiftly and in good faith, and that the results should be reported to Parliament; recalls that any announcement by official EU representatives must follow the proper interinstitutional process for such decisions to be taken and announced; denounces, in this regard, the serious infringement by the Commissioner for Neighbourhood and Enlargement;
19. Reiterates its concern about the destabilising role that the Islamic Republic and its network of violent non-state actors play in the broader Middle East region; calls on the VP/HR and the Member States to continue to use all appropriate means to increase pressure on Iran's Revolutionary Guards and effectively counter their destructive

activities at home and abroad;

20. Calls for the EU and the Member States to support all initiatives to uphold accountability for violations of international humanitarian and human rights law in Israel and the occupied Palestinian territories, notably through support for the work of the ICC, whose mandate includes crimes under international law committed by all parties in the current conflict; highlights that addressing impunity must be a cornerstone of international efforts to ensure a path towards a viable solution as ignoring human rights and enshrining impunity have resulted in mutual dehumanisation;
21. Is alarmed at the circulation of false information and violent images linked to the conflict on the social network X; recalls that the Digital Services Act imposes legal obligations for platforms such as X to remove illegal content promptly;
22. 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.