

Brussels, January 23, 2025

## **To the EU Commission: Review of EU-Israel Association Agreement and no links to the unlawful occupation**

We, the undersigned parliamentarians, call on the European Commission, as a Guardian of the Treaty, to ensure the full and consistent implementation of existing EU legislation, in line with the International Court of Justice (ICJ) Advisory Opinion of July 2024 as well as the Court's provisional measures orders in the case of South Africa v. Israel invoking the Genocide Convention. In particular, we call on the European Commission (EC) to perform its duties and review and suspend the EU-Israel Association Agreement considering Israel's flagrant violations of international law, namely its unlawful presence in the occupied Palestinian territory and associated violations of international humanitarian law, and plausible breaches of the Genocide Convention, as also requested already by Ireland and Spain in February 2024.

While we welcome the news about the ceasefire, we would like to emphasise the need for continued international pressure leading to long and lasting peace as well as accountability as stipulated in the ICJ AO, relevant UN resolutions and reports.

In over a year Israeli forces have killed over 45,000 Palestinians in Gaza (including 17,000 children), injured 100,000, and displaced nearly all of the occupied area's population, while denying the access of food, water, medicine and basic necessities for survival leading to a catastrophic humanitarian situation, starvation, famine and the spread of disease. In addition, throughout its military offensive, Israel has systematically destroyed and damaged the majority of Gaza's infrastructure, including medical facilities, residential buildings, roads, schools and universities. At the same time, Israel conducted the largest invasion of the West Bank since 2002, resulting in over 600 Palestinians killed and 10,900 detained, many subject to torture and ill-treatment, including sexual violence and rape, as confirmed by the UN Commission of Inquiry [in its October 2024 report](#). A large part of the Palestinian population in the West Bank including East Jerusalem has suffered attacks from violent settlers, forced displacement and home demolition, while the colonies were expanding at an unprecedented rate. The killing of journalists and health professional workers by Israel is unprecedented in scale.

On January 26<sup>th</sup> 2024, the International Court of Justice (ICJ) [determined the plausibility](#) that Israel is carrying out acts of genocide against Palestinians in Gaza. The Court ordered Israel to take immediate measures to prevent the commission of all actions that could violate the rights of the Palestinians under the Genocide Convention. On March 28<sup>th</sup>, [the ICJ again ordered](#) Israel to implement these provisional measures. On May 24<sup>th</sup>, [the ICJ ordered](#) Israel to "immediately halt its military offensive, and any other action in the Rafah Governorate, which may inflict on the Palestinian group in Gaza conditions of life that could bring about its physical destruction in whole or in part". The Court ordered Israel to ensure the swift access of essential humanitarian supply given the catastrophic situation, starvation and famine in Gaza. These provisional measures are legally binding upon involved parties, namely Israel. Despite these orders, Israel escalated its offensive, particularly in the northern parts of Gaza, where 400,000 people have been completely besieged, deprived of food and water, while being indiscriminately targeted from air, land and sea, and being driven out of their homes and places of refuge en masse, under gunfire, subject to humiliation and ill-treatment. Clearly, Israel has failed to comply with these orders.

On July 19<sup>th</sup> 2024, the ICJ issued [an advisory opinion](#) where the Court noted that Israel is under an obligation to bring to an end its unlawful presence in the Occupied Palestinian Territory "as rapidly as possible". The Court affirmed that Israel is in breach of the prohibition of racial segregation and apartheid, Article 3 of the UN Convention on the Elimination of All Forms of Racial Discrimination

(CERD). The Court further highlighted the legal consequences incumbent upon states and international organisations, including the duty of non-recognition, non-assistance, and cooperation by lawful means to bring the associated violations to an end.

In September 2024, the UN General Assembly [adopted a resolution](#) stemming from the ICJ's Advisory Opinion, calling on Israel to comply with international law, withdraw its military forces, immediately cease all new settlement activity, and evacuate all settlers from occupied land, among others. The resolution further called on all UN Member States to comply with their obligations under international law and take concrete measures to address Israel's ongoing unlawful occupation, namely by not providing aid or assistance in maintaining the illegal situation created by Israel.

Respect for human rights constitutes an “essential element” of the EU Association Agreements with partner countries, including Israel. In February of last year Ireland and Spain formally requested the EC to review and suspend the EU-Israel Association Agreement in light of Israel's breaches of Article 2. Until now, there has been no reply from the European Commission in this regard. While we hope the ceasefire brings long and lasting peace, the European Commission as a **Guardian of the Treaty** still has responsibility to ensure that the EU-Israel Association Agreement is always conducted in compliance with human rights and democratic principles. Failure to do so violates European legislation and the EU's international law obligations as defined in the ICJ Advisory Opinion and by the ICJ orders pertaining to the Genocide Convention.

In light of the above, we call on the European Commission to:

- Review the EU-Israel Association Agreement, considering Israel's apparent breaches of international humanitarian law and international human rights law, as also reaffirmed by the ICJ and other relevant bodies of the United Nations, including the UN General Assembly and Human Rights Council, thereby falling within the scope of breaching Article 2 of the treaty and propose adequate measures to the Council in the field of its competency,
- Ensure that its diplomatic, trade and cooperation agreements and relationships with Israel are not linked to the unlawful occupation and associated violations, including grave breaches, war crimes, crimes against humanity and possible acts of genocide.

In addition we call on the Council to suspend the EU-Israel Association Agreement and on the EU Member States to abide by their obligation to refrain from assisting in maintaining the illegal situation, arising from Israel's violations of peremptory norms, including by stopping trade with Israeli settlements and halting the provision of military equipment.

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28. Sarah Schlitz MP (Ecolo, Belgium),
29. Christie Morreale MP (PS, Belgium),
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31. Oskar Matute MP (Alternatiba, Spain),
32. Diana Urrea MP (EH Bildu, Spain),
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42. Sabine Roberty MP (PS, Belgium),
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55. Emmanuel Fernandes MP (La France Insoumise, France),
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64. Jonas Sjöstedt, MEP (the Left, Sweden),
65. Lorena Delgado Varas MP (Vänsterpartiet, Sweden),
66. Eric Coquerel MP (La France Insoumise, France),
67. Nadège Abomangoli MP (La France Insoumise, France),
68. Raymonde Poncet Monge MP (Les Ecologistes, France),
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75. Guillaume Gontard MP (Les Ecologistes, France),
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125. Hendrik Davi MP (groupe écologiste et social, France),
126. Christine Arrighi MP (groupe écologiste et social, France),
127. Jean Claude Raux MP (groupe écologiste et social, France),
128. Sandra Regol MP (groupe écologiste et social, France),
129. Marie-Charlotte Garin MP (groupe écologiste et social, France),
130. Léa Balage MP (groupe écologiste et social, France),
131. Catherine Hervieu MP (groupe écologiste et social, France),
132. Sophie Taillé-Polian MP (groupe écologiste et social, France),
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160. Karim Ben Cheikh MP (groupe écologiste et social, France),
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165. Marie Sherlock TD (Labour Party, Ireland),
166. Ciarán Ahern TD (Labour Party, Ireland),
167. Alan Kelly TD (Labour Party, Ireland),
168. Eoghan Kenny TD (Labour Party, Ireland),
169. George Lawlor TD (Labour Party, Ireland),
170. Ged Nash TD (Labour Party, Ireland),
171. Robert O'Donoghue TD (Labour Party, Ireland),
172. Conor Sheehan TD (Labour Party, Ireland),
173. Duncan Smith TD (Labour Party, Ireland),
174. Mark Wall TD (Labour Party, Ireland),
175. Matt Carthy TD (Sinn Féin, Ireland),
176. Pádraig Mac Lochlainn TD (Sinn Féin, Ireland),
177. Cathy Bennett TD (Sinn Féin, Ireland),
178. Louis O'Hara TD (Sinn Féin, Ireland),
179. Claire Kerrane TD (Sinn Féin, Ireland),
180. Holly Cairns TD (Social Democrats, Ireland),
181. Cian O'Callaghan TD (Social Democrats, Ireland),
182. Richard Boyd Barrett TD (People Before Profit, Ireland),
183. Paul Murphy TD (People Before Profit, Ireland),
184. Ruth Coppinger TD (Solidarity, Ireland),
185. Catherine Connolly TD (Independent, Ireland),
186. Darko Krajnc MP (Svoboda, Slovenia),
187. Aerts Staf MP (Groen, Belgium),
188. Trine Pertou Mach MP (Red Green Alliance, Denmark),
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215. Adrian Zandberg MP (Razem, Poland),
216. Marcelina Zawisza MP (Razem, Poland),
217. Marta Stożek MP (Razem, Poland),
218. Paulina Matysiak MP (Razem, Poland),
219. David Cullinane MP (Sinn Féin, Ireland),
220. Conor McGuinness MP (Sinn Féin, Ireland),
221. Sorca Clarke MP (Sinn Féin, Ireland),
222. Pat Buckley MP (Sinn Féin, Ireland),
223. Thomas Gould MP (Sinn Féin, Ireland),
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