Parliamentary Assembly
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Resolution 2524 (2024)[1]

Recent developments in the Middle East: Hamas' terrorist attack on Israel and Israel's response

Parliamentary Assembly

1. The Parliamentary Assembly unequivocally and in the strongest possible terms condemns the barbaric attack conducted by Hamas and other militia groups against Israel on 7 October 2023. Not since the Shoah have so many Jews been killed in one day. The actions of the attackers – who slaughtered and maimed hundreds of people, raped women and took 239 hostages, including children, persons with disabilities and the elderly – leave no doubt about the terrorist nature of Hamas and the other militia groups who took part in this carnage, and cannot be justified on any grounds whatsoever. The Assembly expresses its support for Israel in the face of the most brutal terrorist attack in its history, affirms its right to self-defence and conveys its deepest sympathy to all those who have been affected. The Assembly stands firm in its commitment to the protection of Jewish life and in condemning terrorism, Islamism, antisemitism and violent extremism in all their forms and manifestations, wherever they occur.

2. In response to this attack, the Israeli Government launched a war against Hamas, with the declared dual objective of annihilating Hamas and liberating the hostages. Israel's military response has resulted in the loss of thousands of lives, including of children, women and the elderly, massive displacement and widespread destruction of civilian objects and infrastructure in Gaza. The heavy human toll is not only due to military operations being conducted in densely populated areas but also to the use of the Palestinian population as human shields by Hamas, which has built a maze of underground tunnels and placed offensive weapons in close proximity to civilian buildings, including schools and hospitals.

3. The Assembly voices its sorrow and dismay at the staggering number of innocent casualties in the Gaza Strip. The Assembly also realises that, to many, the displacement of half of Gaza's population, caused by the present war, has revived memories of the Nakba.

4. The already dire humanitarian situation in Gaza has been exacerbated by the insufficient number of convoys transporting humanitarian aid, food, medicines and fuel reaching those in need for several weeks, due to the closure of border points. An exception has been the evacuation through the Rafah border crossing with Egypt of an estimated 7 000 dual nationals and people in need of urgent medical care, including newborn babies.

5. The Assembly underlines that, beyond Gaza, the security situation is tense and volatile in the rest of Israel, the West Bank and East Jerusalem. Violent demonstrations have erupted and episodes of settler violence against Palestinians have turned into a worrying pattern, leading to many deaths. In addition, since 7 October 2023, hundreds of Palestinians have been arrested on security grounds. In the north, exchanges of fire with Hezbollah across the border with Lebanon have caused casualties and displacement on both sides. The risk of an expansion of the conflict cannot be excluded, given the support that Hamas and Hezbollah enjoy from some regional actors, as well as other interested actors beyond the region who are striving to cause disturbances and further increase tensions in the world. The training, financing and arming of Hamas as well as the support for Hezbollah and the Houthis by the Iranian regime play a crucial role in the destabilisation of the region.

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1. *Assembly debate* on 23 January 2024 (3rd sitting) (see Doc. 15890 and addendum, report of the Committee on Political Affairs and Democracy, rapporteur: Mr Piero Fassino). *Text adopted by the Assembly* on 23 January 2024 (3rd sitting).

6. On 22 November 2023, with the mediation of Egypt, Qatar and the United States, an agreement was concluded between Israel and Hamas which allowed for a four-day pause in the hostilities, during which Hamas was to free 50 Israeli hostages in exchange for the liberation of 150 Palestinian detainees, in both cases mainly women and children. The agreement was extended a number of times; with a total of 110 hostages released in exchange for 240 detainees. A number of humanitarian convoys were allowed to enter Gaza. While welcoming the agreement, the Assembly calls for the immediate launch of similar initiatives, as greater humanitarian support is necessary to address the basic needs of the civilian population. The Assembly welcomes and encourages Cyprus' initiative to create a sea corridor to transport humanitarian aid to Gaza.

7. The Assembly is afraid that this war – like many other flare-ups of violence before it – will not succeed in breaking the spiral of hatred and is unlikely to achieve durable and sustainable peace and security in the Middle East. For these to be attained, it is necessary for Israelis and Palestinians to commit to a two-State solution, which will enable both peoples to exercise their right to self-determination and live in dignity. The international community must be unanimous, resolute and consistent in supporting this course of action. It is also necessary for political leaders on both sides to refrain from using inflammatory rhetoric which dehumanises the people on the other side, denies their rights and impedes any prospect of future reconciliation.

8. In the light of these considerations, the Assembly:

8.1. calls for a permanent ceasefire and for a restart of efforts towards a political solution provided that all hostages are immediately and unconditionally released and the terrorist organisation Hamas is dismantled;

8.2. calls for rapid, safe and unhindered access to humanitarian assistance for the population in Gaza;

8.3. calls on all parties to the hostilities to strictly abide by international law and international humanitarian law, in line with the principles of distinction, necessity, proportionality and precaution, and recalls their obligation to respect and protect humanitarian relief personnel.

9. The Assembly calls for the resumption of peace negotiations based on a two-State solution, with the involvement of relevant stakeholders and the support of the international community, to achieve a just and lasting peace in the region. In this context, the Assembly:

9.1. recalls the relevant United Nations Security Council resolutions and the necessity for all parties to abide by their legal obligations and responsibilities under international law;

9.2. renews with urgency its call on all parties to refrain from any unilateral measures that undermine the prospects for the peace process;

9.3. calls for the urgent and resolute engagement of the Israeli authorities to prevent settler violence and refrain from the building of new settlements and the expansion of old ones, home demolitions, forced evictions and confiscation of land in the occupied territories;

9.4. underlines that the Palestinian Authority is an essential interlocutor in peace negotiations;

9.5. calls on the Palestinian Authority to commit to preventing all forms of violence in the territories under its responsibility.

10. Supporting the International Criminal Court as an integral part of the international rules-based order and as a central institution in the fight against impunity and the pursuit of justice, which are essential components of sustainable peace, security and reconciliation, the Assembly calls on all parties concerned to co-operate with investigations into the terrorist attack of 7 October 2023 and into alleged crimes committed in Gaza, East Jerusalem and the West Bank.

11. As regards the role of Council of Europe member States, the Assembly calls on them to:

11.1. support Israel in providing specialised assistance to the families of those who are still held captive and to the hostages who have been liberated, taking into account the special needs of some groups, including children;

11.2. step up humanitarian assistance to the civilian population in Gaza and support relevant initiatives by the United Nations, its specialised agencies, the International Committee of the Red Cross and other humanitarian actors;

11.3. designate Hamas as a terrorist organisation and take appropriate measures to thwart its operational capacity, counteract the support and financing of Hamas from within member States and from the Islamic Republic of Iran and the Revolutionary Guards, and counter the spread of misinformation about the barbaric attack by actors close to the authoritarian Iranian regime;

11.4. lend their full diplomatic support for a two-State solution and for creating the preconditions for durable and sustainable peace in the Middle East.

12. Deeply concerned about the alarming upsurge in antisemitic incidents across Europe since the beginning of the ongoing war, the Assembly stresses its rejection of all forms of incitement to violence and deplores hatred and intolerance in all their forms, including religious intolerance, racism, xenophobia, antisemitism and Islamophobia, in Europe and globally. The Assembly refers to its Resolution 2447 (2022) "Preventing and combating antisemitism in Europe" and reiterates all its recommendations, including its call to member States to adopt national strategies and measures to combat antisemitism. The Assembly affirms its support for the work of the Office of the Special Representative of the Secretary General of the Council of Europe on antisemitic, anti-Muslim and other forms of religious intolerance and hate crimes, as well as that of the European Commission against Racism and Intolerance (ECRI) on this matter, including the revised General Policy Recommendation No. 9 on preventing and combating antisemitism from 2021.

13. Having taken note that some Council of Europe member States have forbidden demonstrations organised by pro-Palestinian groups in order to avert public disorder, the Assembly calls for the scrupulous implementation of the European Convention on Human Rights (ETS No. 5) and the case law of the European Court of Human Rights in relation to freedom of expression and freedom of assembly. It also calls for care and diligence in dealing with unauthorised demonstrations with a view to avoiding excesses which would risk fuelling tensions. However, the Assembly calls for vigilance and constitutional intervention when demonstrations are used as venues for calls for the extermination of Jews or to trivialise the Shoah.

14. As regards its own activities, the Assembly:

14.1. encourages the members of the Knesset and the Palestinian National Council to continue to engage in the work of the Assembly, in particular in the framework of the Sub-Committee on the Middle East and the Arab World, using the Assembly's unique position of having both an Israeli observer delegation and a Palestinian partner for democracy delegation;

14.2. will step up its efforts to promote dialogue between the Knesset, the Palestinian National Council and parliaments of Council of Europe member States;

14.3. will seek to intensify its relations with parliaments and institutions in the region;

14.4. should continue to follow the situation in the Middle East and, in particular, the progress of the Israeli-Palestinian peace process and the situation of human rights, democracy and the rule of law in the region.