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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

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(Revised version)

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

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A. Draft Resolution

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. 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 affiliated 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 of 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 condemning terrorism and violent extremism in all their forms and manifestations, wherever they occur.

Amendment 16
Tabled by Mr Simon MOUTQUIN, Ms Edite ESTRELA, Mr Pedro CEGONHO, Mr Christophe LACROIX, Mr Fourat BEN CHIKHA, Ms Thórhildur Sunna ÆVARSDÓTTIR, Ms Nataša SUKIČ, Ms Laura CASTEL, Mr Andrej HUNKO

In the draft resolution, paragraph 1, first sentence, replace the word "barbaric" with the following word:

"heinous"

Amendment 1
Tabled by Mr Max LUCKS, Mr Stefan SCHENNACH, Ms Filiz POLAT, Ms Petra BAYR, Mr Julian PAHLKE, Mr Michael Georg LINK, Mr Christoph HOFFMANN, Mr Jürgen HARDT, Ms Agnes Sirkka PRAMMER, Lord David BLENCATHRA, Mr Volker ULLRICH

In the draft resolution, paragraph 1, after the first sentence, insert the following sentence:

"Not since the Shoah have so many Jews been killed in one day."

Amendment 2
Tabled by Mr Max LUCKS, Mr Stefan SCHENNACH, Ms Filiz POLAT, Ms Petra BAYR, Mr Julian PAHLKE, Mr Michael Georg LINK, Mr Christoph HOFFMANN, Mr Jürgen HARDT, Ms Agnes Sirkka PRAMMER, Lord David BLENCATHRA, Mr Volker ULLRICH

In the draft resolution, paragraph 1, replace the last sentence with the following sentence:

"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, massive displacement and widespread destruction of civilian objects and infrastructure in Gaza. The high 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, having built a maze of underground tunnels and placed offensive weapons in close proximity of civilian buildings, including schools and hospitals.

Amendment 9
Tabled by Ms Sena Nur ÇELİK KANAT, Mr Abdurrahman BABACAN, Ms Meryem GÖKA, Ms Seda GÖREN, Ms Zeynep YILDIZ, Mr Sevan SIVACIOĞLU, Mr Mustafa CANBEY

In the draft resolution, paragraph 2, second sentence, before the word "lives", insert the following word:

"civilian"

Amendment 10
Tabled by Ms Sena Nur ÇELİK KANAT, Mr Abdurrahman BABACAN, Ms Meryem GÖKA,

Ms Seda GÖREN, Ms Zeynep YILDIZ, Mr Sevan SIVACIOĞLU, Mr Mustafa CANBEY

In the draft resolution, paragraph 2, second sentence, after the words "has resulted in the loss of thousands of lives", insert the following words:

", including of children, women, and the elderly".

Amendment 17
Tabled by Mr Simon MOUTQUIN, Mr Fourat BEN CHIKHA, Ms Edite ESTRELA, Mr Pedro CEGONHO, Mr Christophe LACROIX, Ms Thórhildur Sunna ÆVARSDÓTTIR, Ms Ada MARRA, Mr Paul GAVAN, Ms Nataša SUKIČ, Ms Laura CASTEL, Mr Andrej HUNKO, Ms Anne STAMBACH-TERRENOIR, Mr Emmanuel FERNANDES

In the draft resolution, paragraph 2, second sentence, replace the words "massive displacement" with the following words:

"the displacement of 85% of the population"

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.

Amendment 18
(If adopted, amendments 11, 19 falls)
Tabled by Mr Simon MOUTQUIN, Mr Fourat BEN CHIKHA, Ms Edite ESTRELA, Mr Pedro CEGONHO, Mr Christophe LACROIX, Ms Thórhildur Sunna ÆVARSDÓTTIR, Ms Ada MARRA, Mr Paul GAVAN, Ms Nataša SUKIČ, Ms Laura CASTEL, Mr Andrej HUNKO, Ms Anne STAMBACH-TERRENOIR, Mr Emmanuel FERNANDES, Mr Paulo PISCO

In the draft resolution, replace paragraph 3 with the following paragraph:

"The Assembly voices its sorrow at the staggering number of innocent casualties in the Gaza Strip and condemns the disproportionate nature of the Israeli response to the terrorist attack on 7 October. The Assembly also realises that, to many, the displacement of 85% of Gaza's population, caused by the present war, has revived memories of the Nakba."

Amendment 11
(Falls if amendment 18 is adopted)
Tabled by Ms Sena Nur ÇELİK KANAT, Mr Abdurrahman BABACAN, Ms Meryem GÖKA, Ms Seda GÖREN, Ms Zeynep YILDIZ, Mr Sevan SIVACIOĞLU, Mr Mustafa CANBEY

In the draft resolution, paragraph 3, at the end of the first sentence, insert the following words:

"and condemns the Israeli attacks and practices that led to them".

Amendment 19
(Falls if amendment 18 is adopted)
Tabled by Mr Simon MOUTQUIN, Mr Pedro CEGONHO, Mr Christophe LACROIX, Ms Thórhildur Sunna ÆVARSDÓTTIR, Ms Ada MARRA, Mr Paul GAVAN, Ms Nataša SUKIČ, Ms Laura CASTEL, Mr Andrej HUNKO, Mr Emmanuel FERNANDES

In the draft resolution, paragraph 3, second sentence, replace the word "half" with:

"85%"

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.

Amendment 20
Tabled by Mr Simon MOUTQUIN, Mr Fourat BEN CHIKHA, Ms Edite ESTRELA, Mr Pedro CEGONHO, Mr Christophe LACROIX, Ms Thórhildur Sunna ÆVARSDÓTTIR, Mr Paul GAVAN, Ms Nataša SUKIČ, Ms Laura CASTEL, Mr Andrej HUNKO, Mr Emmanuel FERNANDES

In the draft resolution, before paragraph 4, insert the following paragraph:

"The already dire humanitarian situation in Gaza has been exacerbated by the Israeli strikes on Gaza, and by Israeli restrictions on access to the area, including on convoys transporting humanitarian aid, food, medicines and fuel which were supposed to reach those in need several weeks ago. Today, hundreds of thousands of people are in mortal danger because of the rising risk of famine."

Amendment 12
Tabled by Ms Sena Nur ÇELİK KANAT, Mr Abdurrahman BABACAN, Ms Meryem GÖKA, Ms Seda GÖREN, Ms Zeynep YILDIZ, Mr Sevan SIVACIOĞLU, Mr Mustafa CANBEY

In the draft resolution, paragraph 4, first sentence, replace the words "the closure of border points", with the following words:

"Israel's illegal and inhumane complete siege"

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, hundreds of Palestinians have been arrested on security grounds. In the north, exchanges of fire with Hezbollah across the border with Lebanon have caused victims and displacement on both sides. The risk of an expansion of the conflict cannot be excluded, given the support that Hamas and Hezbollah enjoy by some regional actors.

Amendment 21
Tabled by Mr Simon MOUTQUIN, Mr Fourat BEN CHIKHA, Ms Edite ESTRELA, Mr Pedro CEGONHO, Mr Christophe LACROIX, Ms Thórhildur Sunna ÆVARSDÓTTIR, Ms Ada MARRA, Mr Paul GAVAN, Ms Nataša SUKIČ, Ms Laura CASTEL, Mr Andrej HUNKO

In the draft resolution, paragraph 5, third sentence, replace the words "hundreds of Palestinians have been arrested on security grounds" with the following words:

"thousands of Palestinians have been arrested".

Amendment 6
Tabled by Mr Oleksii GONCHARENKO, Ms Iryna KONSTANKEVYCH, Ms Larysa BILOZIR, Mr Eerik-Niiles KROSS, Mr Emanuelis ZINGERIS

In the draft resolution, at the end of paragraph 5, add the following words:

"as well as the other interested actors beyond the region who are striving to cause disturbances and raise further tensions in the world."

Amendment 3
Tabled by Mr Max LUCKS, Mr Stefan SCHENNACH, Ms Filiz POLAT, Ms Petra BAYR, Mr Damien COTTIER, Mr Julian PAHLKE, Mr Michael Georg LINK, Mr Christoph HOFFMANN, Mr Jürgen HARDT, Ms Agnes Sirkka PRAMMER, Mr Volker ULLRICH

In the draft resolution, at the end of paragraph 5, insert the following sentence:

"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."

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 4-day pause in the hostilities, during which Hamas were 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 similar initiatives to be launched, as greater humanitarian support is necessary to address the basic needs of the civilian population.

Amendment 13
Tabled by Ms Sena Nur ÇELİK KANAT, Mr Abdurrahman BABACAN, Ms Seda GÖREN, Ms Meryem GÖKA, Ms Zeynep YILDIZ, Mr Sevan SIVACIOĞLU, Mr Mustafa CANBEY

In the draft resolution, paragraph 6, last sentence, replace the words "similar initiatives to be launched" with the following words:

"the immediate launch of similar initiatives"

Amendment 8
Tabled by Ms Christiana EROTOKRITOU, Mr Constantinos EFSTATHIOU, Ms Dora BAKOYANNIS, Mr Anastasios CHATZIVASILEIOU, Mr Alexis TSIPRAS, Mr George PAPANDREOU

In the draft resolution, at the end of paragraph 6, insert the following sentence:

"The Assembly welcomes and encourages Cyprus' intitiative 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 will not suffice to achieve durable and sustainable peace and security in the Middle East. For this result 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

Amendment 22
Tabled by Mr Simon MOUTQUIN, Mr Fourat BEN CHIKHA, Ms Edite ESTRELA, Mr Pedro CEGONHO, Mr Christophe LACROIX, Ms Thórhildur Sunna ÆVARSDÓTTIR, Ms Ada MARRA, Mr Paul GAVAN, Ms Nataša SUKIČ,

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 other people, denies their rights, and impedes any prospect of future reconciliation.

Ms Laura CASTEL, Mr Andrej HUNKO, Mr Emmanuel FERNANDES

In the draft resolution, after paragraph 7, insert the following paragraph:

"The Assembly reiterates its determination to defend the two-State solution and put an end to the occupation of the territories occupied and annexed since 1967."

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

8.1. calls for the immediate and unconditional release of all the hostages taken during the terrorist attack of 7 October 2023;

8.2. calls for an immediate and extended ceasefire to allow full, rapid, safe and unhindered access to humanitarian assistance for the population in Gaza;

Amendment 7
Tabled by Mr Eerik-Niiles KROSS, Mr Christoph HOFFMANN, Mr Emanuelis ZINGERIS, Mr Oleksii GONCHARENKO, Mr Serhii KALCHENKO

In the draft resolution, replace paragraphs 8.1 and 8.2 with the following paragraphs:

"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; 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.

Amendment 14
Tabled by Ms Sena Nur ÇELİK KANAT, Mr Abdurrahman BABACAN, Ms Seda GÖREN, Ms Meryem GÖKA, Ms Zeynep YILDIZ, Mr Sevan SIVACIOĞLU, Mr Mustafa CANBEY

In the draft resolution, paragraph 8.3, after the words "humanitarian relief personnel", insert the following words:

", journalists and news media personnel, and condemns the indiscriminate attacks that resulted in the loss of their lives".

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 of the peace process;

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

Amendment 23
Tabled by Mr Simon MOUTQUIN, Mr Fourat BEN CHIKHA, Ms Edite ESTRELA, Mr Pedro CEGONHO, Mr Christophe LACROIX, Ms Thórhildur Sunna ÆVARSDÓTTIR, Ms Ada MARRA, Mr Paul GAVAN, Ms Nataša SUKIČ, Ms Laura CASTEL, Mr Andrej HUNKO

In the draft resolution, replace paragraph 9.3 with the following paragraph:

"calls on the Israeli authorities to put an end to the policy of occupation and colonisation, to urgently and resolutely engage in preventing settler violence, and to refrain from building new settlements and extending old ones, and from carrying out 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 a central institution in the fight against impunity and in the pursuit of justice, which are essential components of sustainable peace, security and reconciliation, the Assembly calls on all those concerned to co-operate with investigations into the terrorist attack of 7 October 2023 and on alleged crimes committed in Gaza, East Jerusalem and the West Bank.

Amendment 15
Tabled by Ms Sena Nur ÇELİK KANAT, Mr Abdurrahman BABACAN, Ms Seda GÖREN, Ms Meryem GÖKA, Ms Zeynep YILDIZ, Mr Sevan SIVACIOĞLU, Mr Mustafa CANBEY

In the draft resolution, paragraph 10, replace the words "as an integral part of the international rules-based order and a central institution" with the following words:

"and the International Court of Justice as integral parts of the international rules-based order and central institutions".

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;

Amendment 24
Tabled by Mr Simon MOUTQUIN, Mr Pedro CEGONHO, Mr Paul GAVAN, Ms Nataša SUKIČ, Ms Laura CASTEL, Mr Andrej HUNKO, Mr Fourat BEN CHIKHA, Mr Christophe LACROIX, Ms Thórhildur Sunna ÆVARSDÓTTIR

In the draft resolution, after paragraph 11.1, insert the following paragraph:

"guarantee assistance and psychological support to Palestinian nationals on their territory, with particular attention to asylum seekers and nationals with family ties to Gaza."

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;

Amendment 25
Tabled by Mr Simon MOUTQUIN, Mr Pedro CEGONHO, Mr Paul GAVAN, Ms Nataša SUKIČ, Ms Laura CASTEL, Mr Andrej HUNKO, Mr Fourat BEN CHIKHA, Mr Christophe LACROIX, Ms Thórhildur Sunna ÆVARSDÓTTIR

In the draft resolution, after paragraph 11.2, insert the following paragraph:

"prohibit the export and transit of weapons and military materiel to Israel and the occupied Palestinian territories, taking into account the risk that this materiel be involved in violations of international law and human rights."

11.3. designate Hamas as a terrorist organisation and take appropriate measures to thwart its operational capacity;

Amendment 4
Tabled by Mr Max LUCKS, Mr Stefan SCHENNACH, Ms Filiz POLAT, Ms Petra BAYR, Mr Damien COTTIER, Mr Michael Georg LINK, Mr Julian PAHLKE, Mr Christoph HOFFMANN, Mr Jürgen HARDT, Ms Agnes Sirkka PRAMMER, Lord David BLENCATHRA, Mr Volker ULLRICH

In the draft resolution, at the end of paragraph 11.3, insert the following words:

"counteracting the support and financing of Hamas from within member States, from the Islamic Republic of Iran and the Revolutionary Guards and also counteracting the spread of misinformation about the barbaric attack by actors close to the authoritarian Iranian regime;"

Amendment 26
Tabled by Mr Simon MOUTQUIN, Mr Pedro CEGONHO, Mr Paul GAVAN, Ms Nataša SUKIČ, Ms Laura CASTEL, Mr Andrej HUNKO, Mr Fourat BEN CHIKHA, Mr Christophe LACROIX, Ms Thórhildur Sunna ÆVARSDÓTTIR

In the draft resolution, after paragraph 11.3, insert the following paragraph:

"use relevant diplomatic and economic channels to compel the parties to the conflict to respect international law and declare an immediate and prolonged ceasefire".

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.

Amendment 27
Tabled by Mr Simon MOUTQUIN, Mr Pedro CEGONHO, Mr Paul GAVAN, Ms Nataša SUKIČ, Ms Laura CASTEL, Mr Andrej HUNKO, Mr Fourat BEN CHIKHA, Mr

Christophe LACROIX, Ms Thórhildur Sunna ÆVARSDÓTTIR

In the draft resolution, replace paragraph 11.4 with the following paragraph:

"lend their full diplomatic support to a two-state solution and the creation of preconditions for a viable and lasting peace in the Middle East, including by cutting all commercial ties with Israeli settlements which are illegal under international law".

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 disorders, 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 avoid excesses which would risk fuelling tensions.

Amendment 5
Tabled by Mr Max LUCKS, Mr Stefan SCHENNACH, Ms Filiz POLAT, Ms Petra BAYR, Mr Damien COTTIER, Mr Michael Georg LINK, Mr Julian PAHLKE, Mr Christoph HOFFMANN, Mr Jürgen HARDT, Ms Agnes Sirkka PRAMMER, Mr Volker ULLRICH

In the draft resolution, at the end of paragraph 13, insert the following sentence:

"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.