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November 27, 2022

To:

Roberta Metsola

President of the European Parliament

Re: A request for the European Parliament to recognize the State of Israel as a state sponsor of terrorism

1. I appeal to you on behalf of human rights organizations, movements and activists which support the Palestinian people and their struggle for freedom and equality:

The Israeli organizations and movements:

Combatants for Peace, Mothers Against Violence, and Windows – Channels for Communication.

The Israeli activists:

Dr. Ilana Hammerman, Yonatan Shapira, Dr. Hannah Safran, Ofer Neiman, Omer Arvili, Dr. Hilla Dayan, Shirli Nadav, Aharon Segoly, Dubi Moran, Katty Bar, Oren Feld, Jonathan ofer, Meira Asher, Tamara Holkenov, Sahar Vardi, Dr. Hagar Gefen, Amichai Niv, Orly Avraham, Oded Paporisch, Shaul Tcherikover, Alice Krieger, Dr. Diana Dolev, Ruti Kantor, Yossi Gurvitz, Sharon Gamzo, Naomi Benzer, Dr. Bareket Schiff Keren, Edith Breslauer, Tamar Yaron, Dr. Warda Sada, Amit Fitzer, Dr. Gilad Liberman, Talia Tsemel, Reut Kristal, Ronny Wallach, Prof. David Solomonovich, Merav Nov, Rivka Sum, Noga Dovrat, Avner Reshef, Simha Latman, Carmit Roth, Tzvi Markovitz, Guy Avni, Nirit Veiga, Avshalom Rov, Naama Yaari, Rachel Ben Shitrit, Gina Ben David, Menachem Golan, Zehava Grinfield, Einat Adar, Baruch Shalev, Nufar Shimony, Naama Vardy, Dr. Theodor Bughici, Amir Bitan, Rachel Chayut, Guy Poran, Prof. Daniel Bar-Tal, Ronen Skaletzky, Amnon Lotenberg, Galia Katsir, Kochav Shachar, Yaacov Godo, Dr. Uri Bitan, Yair Keidan, Tamar Lehahn, Dr. Erella Grassiani, Wagih Sidawi, Sara Miron, Elie Avidor, Nava Toledano, Dan Shaish, Annelien kisch-kroon, Itamar Feigenbaum, Daphne Banai, Danielle Wright, Dr. Naomi Kirshner, Naftali Sappir, Vardit Goldner, Akafa Fathyia, Bilha Golan Sündermann, Prof. Nurit Budinsky, Nimrod Shapir, Michal Fischer, Alon Avnon, Dan Bitan, Amir Noham, Sima Sason, Dr. Sara Carmeli, Aya Kaniuk, Rami Pinchover, Yaakov Tench, Hagar Dror Maliniek, Revital Sella, Shoshana London Sappir, Osama Aljabri, Raghad Rezik, Amir Abu Al-Saoud, Rutie Atsmon, Yuval Gal Cohen, Naela Meilad, Michal Ronel and myself.

2. On November 23rd the European Parliament decided to recognize the Russian Federation as a state sponsor of terrorism (2022/2896(RSP))¹.
3. From reading the text of the resolution, we have no doubt that for similar reasons the European Parliament should also recognize the State of Israel as a state sponsor of terrorism.
4. Therefore, attached is a proposal for a resolution in which we have made the necessary adjustments for the State of Israel and in which appear all the reasons that we believe are relevant for its approval by the European Parliament.
5. In view of the war crimes and crimes against humanity committed by the State of Israel, we hope that you will act urgently to bring our proposal to a vote in the parliament.
6. **We would be grateful for your prompt action and response.**



Eitay Mack, Adv

¹ <https://www.europarl.europa.eu/news/en/press-room/20221118IPR55707/european-parliament-declares-russia-to-be-a-state-sponsor-of-terrorism>

Recognising the State of Israel as a state sponsor of terrorism

European Parliament resolution of __ December 2022 on recognising the State of Israel as a state sponsor of terrorism (___/___(RSP))

The European Parliament,

- in accordance with its previous resolutions on Israel and Palestine, including its resolutions of 13 September 2018, on the threat of demolition of Khan al-Ahmar and other Bedouin villages², of 19 April 2018 on the situation in the Gaza Strip³, of 18 May 2017 on the two-state solution in the Middle East⁴, of 17 July 2014 on the escalation of violence between Israel and Palestine⁵, of 18 September 2014 on Israel-Palestine after the Gaza war and the role of the EU⁶, and the adding of ‘Kahane Chai’ (a.k.a. "Kach") movement to the EU list of terrorists⁷.
- in accordance with the Charter of the United Nations, the core humanitarian law treaties as the Geneva Conventions and especially in the Fourth Geneva Convention Relative to the Protection of Civilian Persons in Time of War (1949), and the Regulations Respecting the Laws and Customs of War on Land, annexed to the Hague Convention (II) of 1899 and (IV) of 1907; The core human rights treaties⁸ as the International Convention on Civil and Political Rights (1966), the International Convention on Economic, Social and Cultural Rights (1966), the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984), the Convention on the Rights of the Child (1989), and the International Convention on the Suppression and Punishment of the Crime of Apartheid (1976) ; And a long list of UN Security Council Resolutions (242 (1967), 338 (1973), 446 (1979), 452 (1979), 465 (1980), 476 (1980), 478 (1980), 1397 (2002), 1515 (2003), 1850 (2008) and 2334 (2016)).
- in accordance with the international legal framework for preventing and fighting terrorism, including UN Security Council Resolution 2341 on protection of critical infrastructure against terrorist acts, adopted on 13 February 2017;
- in accordance with the European Convention on the Suppression of Terrorism of 27 January 1977, and the international conventions that followed;
- in accordance with the EU legal framework against terrorism, including Council Common Position 2001/931/CFSP of 27 December 2001 on the application of specific measures to combat terrorism⁹ and Council Regulation (EC) No

² Texts adopted, P8_TA(2018)0351.

³ Texts adopted, P8_TA(2018)0176.

⁴ Texts adopted, P8_TA(2017)0226.

⁵ Texts adopted, P8_TA(2014)0012.

⁶ Texts adopted, P8_TA(2014)0029.

⁷ <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:023:0037:0042:EN:PDF>

⁸ According to the ICJ's *Wall* Advisory Opinion, "the protection offered by human rights conventions does not cease in case of armed conflict, save through the effect of provisions for derogation." (Legal Consequences of the Wall, para. 106)

⁹ OJ L 344, 28.12.2001, p. 93.

2580/2001 of 27 December 2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism¹⁰;

- in accordance with the Rome Statute of the International Criminal Court (ICC);
- A. whereas Israel continues the illegal and unjustified war of aggression against Palestine, the Palestinian people and refugees; whereas in the last decades Israel's forces have conducted indiscriminate attacks against residential areas and civilian infrastructure, have killed thousands of Palestinian civilians and carried out acts of terror throughout the occupied Palestinian territories targeting various elements of civilian infrastructure such as residential areas, schools, hospitals, roads, and water and electricity networks; whereas these brutal and inhumane acts are causing death, suffering, destruction and displacement;
- B. whereas the Israeli armed forces and their proxies in the settlements and far right movements have committed summary executions, abductions, torture and other atrocities in Palestine, including the massacres of civilians in cities, towns and villages, and are implementing a policy of ethnic cleansing and apartheid;
- C. whereas Israel continues to persistently violate the principles of the UN Charter through its acts of aggression against the sovereignty, independence and territorial integrity of Palestine, and to blatantly and grossly violate international humanitarian law, inter alia by deliberately targeting civilian structures that should not be the object of attack according to Article 52(1) of the 1977 Additional Protocol I to the Geneva Conventions of 1949; whereas these crimes reflect a grotesque indifference to the rules and laws of war that constrain the exercise of military power, as seen for instance in the inhumane treatment of prisoners of war, the widespread use of torture and the summary executions of Palestinians, as well the denial of free access for international humanitarian organisations and journalists to the Gaza Strip, to the Israeli military courts and prisons;
- D. whereas Israel's repeated attacks caused extensive destruction to residences and public buildings such as hospitals, health care clinics, schools, roads, water and electricity facilities, mosques and cemeteries, in spite of the fact that some of those structures were financed by the European Union members;
- E. whereas the purpose of Israel's attacks is to terrorise the Palestinian population, to suppress their resistance and resolve to continue defending their country and on the right of the refugees to return, and to force them to accept the occupying power and agree to the illegal Israeli annexation of several parts of Palestine or all of it, under one apartheid regime;
- F. whereas Israel is responsible for the food security crisis in the Gaza Strip as a result of its war of aggression and its blockade; whereas Israel has been weaponizing food and hunger in Gaza; whereas as part of its policy of ethnic cleansing and apartheid Israel's deliberate actions are causing a food crisis in Palestinian farming and pastoral communities in the West Bank, and especially in the areas of the Jordan Valley and southern Hebron hills, where many grazing

¹⁰ OJ L 344, 28.12.2001, p. 70.

and agricultural areas were declared close to Palestinians for the benefit of the expansion of the Jewish-only settlements;

- G. whereas Israel carries out mass surveillance of the Palestinian population, including lawyers, human rights activists and journalists, with the aim of destroying the social fabric and preventing any independent or oppositional thought and movement;
- H. whereas Israel has illegally annexed east Jerusalem and implemented there a policy of ethnic cleansing and apartheid; whereas Israel's illegal actions in east Jerusalem include extensive house demolition, the mass deportation of Palestinian families from their homes as well as the cancelation of residence permits for tens of thousands of Palestinians;
- I. whereas the Israeli armed forces and their proxies in the settlements and in the far-right movements have repeatedly targeted Palestinian civilians; whereas violent groups of the settlers and the far right receive significant political, economic and logistical support from the State of Israel, in particular from the Israel Ministry of Defence, the Israel Defence Forces (IDF) and Israel Police;
- J. whereas for many years Israel has supported and financed directly and indirectly terrorist groups of the settlers and the far right, and it allowed them to operate freely; whereas supporters of genocide and of the "Kach" movement are members of the Knesset and are expected to become ministers in the next Israeli government.
- K. whereas Israel is also waging an active information war, spreading disinformation about the Palestinian people and political leadership, and conducting special operations to destabilise society in Palestine and discredit Palestine's relations with its international partners, including by the Israeli Defence Minister Benny Gantz's declaration that six Palestinian human rights organizations are terrorist organizations. Already some members of the EU have declared they will continue to cooperate with these six organizations because Israel has not presented them with evidence that supports Minister Gantz's declaration ¹¹.
- L. whereas the actions undertaken by Israel and its proxy forces fit the definition of terrorism accepted by the EU, the UN Security Council and the UN General Assembly, contained in UN Security Council Resolution 1566 of 2004, UN General Assembly Resolution 49/60 of 9 December 1994 and Council Common Positions 2001/931/CFSP and 2009/468/CFSP¹²;
- M. whereas Israel's attacks against innocent civilians and civilian infrastructure in Palestine qualify as 'state terrorism';
 - 1. Reiterates its condemnation of Israel's illegal, unprovoked and unjustified war of aggression against Palestine and the Palestinian people; demands that Israel and its proxy forces cease all illegal military actions, in particular the attacks

¹¹ <https://www.haaretz.co.il/news/politics/2022-07-12/ty-article/premium/00000181-f302-de0f-a58b-f3ea25410000>

¹² Council Common Position 2009/468/CFSP of 15 June 2009 updating Common Position 2001/931/CFSP on the application of specific measures to combat terrorism and repealing Common Position 2009/67/CFSP (OJ L 151, 16.6.2009, p. 45).

against residential areas and civilian infrastructure, and that Israel withdraw all military forces, proxies and military equipment from the entire occupied Palestinian territories, end the forced deportations of Palestinians and the house demolitions, release all the persons it has held in "administrative detention", stop the torture of Palestinian detainees, and permanently cease violating or threatening the sovereignty, independence and territorial integrity of Palestine;

2. Underlines that the deliberate attacks and atrocities carried out by Israel against the civilian population of Palestine, the destruction of civilian infrastructure and other serious violations of human rights and international humanitarian law amount to acts of terror against the Palestinian population and constitute war crimes and crimes against humanity; expresses its unreserved outrage at and condemnation of these attacks and atrocities and the other acts that Israel has committed in pursuit of its destructive political aims in Palestine and on the territory of other countries; in light of the above, recognises Israel as a state sponsor of terrorism and as a state which uses means of terrorism;
3. Reaffirms its unwavering solidarity with the people of Palestine, who continue to show remarkable courage and resilience under unrelenting threats and attacks during decades of Israeli aggression, as well as with other victims of Israel's aggression across the world; expresses its solidarity with the families of the victims in Palestine;
4. Calls for the EU and its Member States to take action to initiate a comprehensive international isolation of the State of Israel, including with regard to Israel's membership of international organisations and bodies such as the United Nations, and to refrain from holding any formal events on the territory of Israel; calls for diplomatic relations with Israel to be reduced further and for contacts with its official representatives at all levels to be kept to the absolute minimum necessary; calls on EU Member States to close and ban Israeli state-affiliated institutions, which operate under the auspices and leadership of Israeli diplomatic missions and promote Israeli state propaganda around the world;
5. Calls on the Council to include Israeli settlers and far-right groups active in the occupied territories of Palestine, on the EU list of persons, groups and entities involved in terrorist acts (EU terrorists list);
6. Strongly condemns Israel's support of other dictatorships that use terror to suppress the democratic aspirations of their societies, especially through its sale of weapons and surveillance equipment, as a way to buy support for Israel in international forums;
7. Calls on the Council to create a list of Israeli individuals that will be targeted by sanctions, which list will include those involved in war crimes and crimes against humanity, including executions, deprivation of liberty, forced deportations, house demolitions, surveillance, torture, and the expansion of settlements;

8. Reiterates its firm demand that all persons responsible for committing, assisting or organising human rights violations, atrocities or war crimes in the context of Israel's war of aggression against Palestine must be identified as swiftly as possible, prosecuted and held to account; calls for renewed support for the ongoing independent investigations of war crimes and crimes against humanity committed by Israel, which should ensure that those involved in planning, organising, committing or facilitating these crimes are individually held to account; calls on the EU and its Member States to provide the appropriate support for the establishment of a special tribunal dealing with the crimes by Israel against Palestine and the Palestinian people and refugees; calls on the Member States that have not yet done so, to include the crime of aggression in their national law; fully supports the investigation launched by the ICC Prosecutor into the situation in Palestine, the work of the Commission of Inquiry under the Office of the High Commissioner for Human Rights and the efforts of independent civil society organisations working to collect and preserve evidence of war crimes and crimes against humanity; encourages EU Member States to make even wider use of the principle of universal jurisdiction and to step up their support for international efforts to investigate and prosecute all the perpetrators of, and persons responsible for, war crimes and crimes against humanity in Palestine; stresses the need for the EU to ensure the inclusion of a gender perspective in these investigations, including the prosecution of crimes of against women, which can also constitute war crimes and crimes against humanity;
9. Calls on the Council and the Member States to urgently and significantly increase their political, economic, financial, military, technical and humanitarian support for Palestine in order to help Palestine defend itself against the Israeli war of aggression and against Israel's attempts to destabilise Palestinian state institutions, undermine Palestine's macroeconomic stability, and destroy critical infrastructure in the areas of energy, communications, water and transport, and civilian infrastructure in the areas of education, health and culture;
10. Appeals to all Israeli people not only to refuse to be dragged into this war, but also to protest against the atrocious war crimes against the Palestinian people, committed by Israel in the name of the Israeli people; expresses its support for Israeli citizens protesting and opposing the current regime from within or from outside of Israel or supporting Palestinian refugees; calls on the Commission, the European External Action Service and the Member States to increase support for, and cooperation with, civil society and free media from Israel and Palestine and to continue to provide protection and temporary shelter to those Palestinians who are being persecuted due to their opposition to the Israeli apartheid regime; commends the work of Israeli, Palestinian and international journalists who tell the world the truth about the war in Palestine, often risking their own lives to do so; calls for the investigation of Israeli crimes against journalists and of the activities of those involved in criminal disinformation campaigns forming an integral part of the full-scale war against Palestine and the Palestinian people and refugees;
11. Instructs its President to forward this resolution to the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and

Security Policy, the Council, the Commission, the governments and parliaments of the Member States, the Secretary-General of the United Nations, the Council of Europe, the Organization for Security and Co-operation in Europe, the Office of the United Nations High Commissioner for Human Rights, the Office of the United Nations High Commissioner for Refugees, the International Committee of the Red Cross, the International Criminal Court, the President, Government and Parliament of the State of Israel, and the President and Parliament of the Palestinian Authority.