

# **PROPOSAL FOR A COUNCIL DECISION**

**on the temporary suspension of certain provisions of the Euro-Mediterranean Association Agreement establishing an association between the European Communities and their Member States, of the one part, and the State of Israel, of the other part**

## **THE COUNCIL OF THE EUROPEAN UNION,**

Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 206 and 207 thereof,

Having regard to the Treaty on European Union, and in particular Articles 2 and 21 thereof,

Having regard to the Euro-Mediterranean Association Agreement establishing an association between the European Communities and their Member States, of the one part, and the State of Israel, of the other part, signed on 20 November 1995 and entered into force on 1 June 2000, and in particular Article 2 thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Acting in accordance with the ordinary legislative procedure,

### **Whereas:**

(1) The Euro-Mediterranean Association Agreement with Israel ('the Agreement') establishes in Article 2 that "Relations between the Parties, as well as all the provisions of the Agreement itself, shall be based on respect for human rights and democratic principles, which guides their internal and international policy and constitutes an essential element of this Agreement."

(2) Article 2 of the Treaty on European Union establishes that the Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities.

(3) Article 21 of the Treaty on European Union provides that the Union's action on the international scene shall be guided by the principles of democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, the principles of equality and solidarity, and respect for the principles of the United Nations Charter and international law.

(4) The European Union has consistently affirmed that respect for human rights constitutes an essential element of its relations with third countries and that serious and persistent violations of human rights may lead to appropriate measures, including the suspension of cooperation agreements.

(5) International humanitarian law, as codified in the Geneva Conventions of 1949 and their Additional Protocols, establishes fundamental principles for the protection of civilians in armed conflict, including the obligation to distinguish between civilians and combatants, the prohibition of collective punishment, and the duty to ensure humanitarian access.

(6) The principle of equal protection of civilian life, as consistently affirmed by Member States, recognizes that the life of a civilian has equal value regardless of nationality, and that the protection of all civilians constitutes a fundamental moral imperative and a legal obligation under international humanitarian law.

(7) The current situation in the Occupied Palestinian Territory, including Gaza, the West Bank, and East Jerusalem, has resulted in a humanitarian crisis and raises serious concerns regarding compliance with international humanitarian law and human rights standards.

(8) United Nations Security Council Resolution 2334 (2016) condemns all measures aimed at altering the demographic composition, character and status of the Palestinian territory occupied since 1967, including East Jerusalem, and calls for immediate cessation of all settlement activities.

(9) The European Union recognizes that lasting security cannot be achieved without a just peace, and that the legitimate aspiration for security remains illusory as long as a just peace is not durably established for all peoples in the region.

(10) The Palestinian Authority has reaffirmed its commitment to peaceful resolution, condemning terrorism, accepting the demilitarization of Gaza, and expressing readiness to conclude a comprehensive peace agreement under international supervision, as outlined in official correspondence of June 9, 2025.

(11) The European Union has repeatedly called for full respect for international humanitarian law, the protection of civilians, the provision of humanitarian assistance to those in need, and the implementation of relevant United Nations resolutions.

(12) The European Union affirms that there can be no lasting peace without recognition of the legitimate right of the Palestinian people to have a territory and a State, and without the recognition by the Palestinian people and their authorities of the State of Israel and the importance of its existence and security.

(13) The principle of proportionality requires that any Union action be appropriate and necessary to achieve the objectives pursued, going no further than what is necessary to achieve those objectives.

(14) A temporary and conditional suspension of certain provisions of the Agreement would serve as a diplomatic tool to encourage compliance with international law and the restoration of humanitarian access, while maintaining the possibility of full restoration of relations upon the fulfillment of specified conditions.

(15) Such suspension should be implemented in a manner that does not prejudice ongoing humanitarian efforts or the legitimate rights and interests of civilian populations, and should support the resumption of a political peace process.

## **HAS ADOPTED THIS DECISION:**

### **Article 1 - Suspension**

The application of the Euro-Mediterranean Association Agreement establishing an association between the European Communities and their Member States, of the one part, and the State of Israel, of the other part, is hereby temporarily suspended, with the exception of provisions relating to humanitarian cooperation and civilian protection.

### **Article 2 - Conditions for lifting the suspension**

The suspension referred to in Article 1 shall be lifted when the following conditions are cumulatively met, as verified by relevant international monitoring bodies and assessed by the Commission in coordination with the European External Action Service:

(a) A verifiable and sustainable ceasefire is implemented and maintained in accordance with relevant United Nations Security Council resolutions;

(b) Full humanitarian access is restored in accordance with international humanitarian law and United Nations resolutions;

(c) Concrete steps are taken to ensure compliance with international humanitarian law and human rights standards in the Occupied Palestinian Territory, including Gaza, the West Bank, and East Jerusalem;

(d) Meaningful progress toward recognition of Palestinian rights to self-determination consistent with relevant United Nations resolutions and international law, including within the territories occupied since 1967, as assessed by relevant international bodies;

(e) Cessation of settlement expansion and related activities in the occupied Palestinian territories in compliance with United Nations Security Council Resolution 2334 (2016) and applicable international law;

(f) Restoration of freedom of movement and access for Palestinians in the occupied territories in accordance with international humanitarian law and human rights standards.

### **Article 2bis - Mandatory review**

The Council shall conduct a comprehensive review of this Decision within two years of its entry into force, regardless of whether the conditions in Article 2 have been met. The Council may, based on this review, decide to maintain, modify, or terminate the suspension.

### **Article 3 - Review and monitoring**

The Commission, in coordination with the European External Action Service, shall monitor the situation and assess progress toward meeting the conditions set out in Article 2, taking into account reports from relevant international organizations, United Nations agencies, and human rights monitoring bodies.

The Commission shall report to the Council every three months on developments relevant to the conditions for lifting the suspension.

The Council may, acting by qualified majority on a proposal from the Commission, decide to lift the suspension when the conditions referred to in Article 2 are met.

### **Article 4 - Safeguard provisions**

This Decision shall not affect: (a) Ongoing humanitarian assistance programs; (b) Consular and diplomatic relations; (c) Educational and cultural exchanges involving civilian institutions; (d) Medical cooperation and emergency health assistance.

The suspension shall be implemented in a manner consistent with the Union's international legal obligations and shall not prejudice ongoing peace efforts or dialogue mechanisms.

## **Article 5 - Entry into force**

This Decision shall enter into force on the day following that of its publication in the Official Journal of the European Union.

Done at Brussels,

For the Council

The President

---

# **EXPLANATORY MEMORANDUM**

## **1. Context and Legal Basis**

This proposal is based on Article 2 of the EU-Israel Association Agreement, which establishes respect for human rights as an essential element of the Agreement. The legal basis in the Treaties includes Articles 206-207 TFEU regarding the common commercial policy, Article 2 TEU concerning the Union's foundational values, and Article 21 TEU on the Union's external action.

The current humanitarian situation in the Occupied Palestinian Territory has been extensively documented by international organizations, UN agencies, and human rights monitoring bodies, providing substantial evidence for the concerns regarding compliance with international humanitarian law and human rights standards. This includes reports from UN Special Rapporteurs, the International Court of Justice, and various UN agencies operating in the region.

The approach adopted in this proposal aligns with principles consistently expressed by EU Member States, including the recognition that lasting security requires a just peace for all peoples, and that the protection of civilian life must be unconditional regardless of nationality.

As affirmed in high-level diplomatic exchanges, "the life of a civilian has equal value regardless of nationality" and the protection of all civilians constitutes both a moral imperative and a legal obligation under international humanitarian law.

Recent commitments by the Palestinian Authority, as documented in official correspondence dated June 9, 2025, demonstrate alignment with key objectives of this proposal, including condemnation of terrorism, commitment to demilitarization of armed groups, and readiness to engage in comprehensive peace negotiations under international supervision. These developments provide additional justification for temporary measures designed to create conditions conducive to sustainable peace.

## **2. Subsidiarity and Proportionality**

The suspension is proportionate to the objectives pursued, being temporary and conditional rather than permanent. It maintains provisions for humanitarian cooperation while addressing concerns regarding compliance with international law. The inclusion of specific conditions for lifting the suspension ensures that the measure is reversible upon demonstrated compliance with international legal obligations.

The mandatory review provision in Article 2bis ensures that the Council regularly assesses the effectiveness and continued necessity of the suspension, thereby maintaining the principle of proportionality over time.

## **3. Budgetary Implications**

This Decision may have limited budgetary implications related to the suspension of certain cooperation programs, which will be assessed separately. Humanitarian assistance programs remain unaffected, ensuring continued support for civilian populations.

## **4. Consultation Requirements**

This proposal follows the standard consultation procedures for measures affecting Association Agreements, including consultation with relevant Member State authorities and the European Parliament. The Commission will coordinate with the European External Action Service to ensure coherent implementation and monitoring of the suspension conditions.

