

## Four ways in which Europe can re-engage to halt the catastrophe in Gaza

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### Theme

The EU and its member states have a series of options available to engage and resolve the Gaza crisis, which is threatening regional and even global stability.

### Summary

A 'paper tiger', a 'payer, not a player' are the terms frequently used to describe and criticise the EU's foreign policy. There are, among other causes, structural reasons for this, such as the importance attached to unanimity in its decision-making process. But in fact, a whole range of options could be adopted to make its voice heard, and acted upon, in the Middle East, and Israel-Palestine in particular, where the catastrophe that has unfolded in [Gaza](#) for the past 19 months is destroying the liberal order on which the very multilateral organisation is built upon.

### Analysis

The Gaza war dominates international headlines and features prominently in the EU Foreign Ministers' meetings, and indeed European leaders have issued no shortage of statements stressing the importance of respecting international law and pursuing a two-state solution. On 20 May, the EU Foreign Ministers eventually decided to review the Association Agreement with Israel based on the human rights clause in Art. 2. This echoes a decision by the UK of the same day to freeze all talks with Israel on updating the bilateral trade agreement with Israel. In view of the worldwide outrage over Israel's merciless military onslaught on Gaza's population, European politicians have recently ramped up the rhetoric but still taken no decision to suspend the Association Agreement or to sanction Israeli politicians or military commanders. When it comes to *walking the talk*, Europe seems to be short on ideas and influence. Brussels and its member states are widely seen as an ineffectual paper tiger –often vocal but never biting–. It is hardly surprising, then, that the EU and its member states have been absent from all discussions and negotiations since 7 October (on ceasefires, hostage exchanges, post-war reconstruction, security guarantees, Palestinian governance and ending the occupation). Neither Israel nor the Palestinians –nor the key Arab mediators or the US– have sought to involve the EU or even major European countries like Germany, France and Spain in the talks taking place in Cairo, Doha and Riyadh.

Why has the EU been so apparently incapable of stepping into the political arena? Critics note that Europe has long relegated itself to the role of *payer* of aid rather than a *player* in high-stakes diplomacy. Since the Oslo Accords over 30 years ago, European leaders

have largely contented themselves with providing billions of euros in humanitarian and development assistance to the Palestinians and offering ritual support for an increasingly illusory prospect of an independent Palestinian state along the pre-1967 borders. Meanwhile, Israel continues to benefit enormously from its preferential trade relationship with Europe under the EU-Israel Association Agreement, making the EU by far Israel's largest trading partner. Aid and trade thus became the convenient fallback position of a continent that shied away from serious political effort. This is a far cry from what the EU's own Lisbon Treaty envisages or what Europe's leaders routinely proclaim as their ambition, namely for the EU to be a capable and credible geopolitical actor in world affairs.

### 1. The EU's unanimity dilemma

To be fair, the EU faces structural constraints that make a bold common policy difficult. The Union comprises 27 member states with constantly changing governments, and it is no simple task to forge a swift and decisive foreign policy consensus among them. National political and economic interests often diverge, especially after elections usher in new leaders. Narrow state-specific agendas tend to trump the broader common good that members have nominally pledged to uphold under EU treaties. When it comes to Israel-Palestine, [these fault lines are stark](#). Speaking broadly, Hungary, the Czech Republic, Austria and Germany are firmly aligned with Israel, whereas [Ireland, Spain and Slovenia](#) –at times joined by Luxembourg, Malta and, occasionally, Belgium and France– voice greater sympathy for the Palestinian cause. Most other EU countries fall somewhere in between (generally leaning towards Israel's position). This fragmentation helps explain [the difficulty](#) in reaching a unified European stance or even agreeing on basic assessments of Israel's actions in Gaza.

Furthermore, the EU's decision-making procedures for foreign policy, as established under the Lisbon Treaty, don't make action any easier. As a rule, EU foreign and security policy decisions in the Council require [unanimity](#). While the treaty does include '[flexibility mechanisms](#)' that *could* allow decisions by '[qualified majority](#)' or enable smaller groups of member states to move ahead on certain initiatives, in practice these provisions have never been used since the Lisbon Treaty entered into force in 2009. Neither the EU leadership nor national governments have ever [mustered](#) the political courage to circumvent the unanimity rule for foreign policy. Most [capitals](#) are unwilling to surrender their veto power in this domain. Brussels, for its part, understandably prefers to act with the full consent of all 27 members to bring the Union's full weight to the table. However, this insistence on complete consensus [has clearly failed](#) in the Middle East context –and the EU is rightly criticised for acting 'too little, too late'–.

### 2. Global repercussions

The failure of the EU to act consistently and decisively as a group grounded in international law has caused tangible foreign-policy [damage](#), not only to 'Brussels' (the EU institutions) but also to individual member states (notably Germany and other staunch backers of Israel). This is particularly evident in the eyes of Arab and Muslim-majority countries, and across much of the [Global South](#). Europe's credibility as a champion of the international rule of law and universal human rights has suffered a serious blow. By refusing to take decisive steps to uphold principles it claims to hold dear, the EU

undermines the very rules-based international order that it so often promotes in public. The moral high ground Europeans like to claim –lecturing other states about the universality and inalienability of human rights– rings hollow when Europe remains passive in the face of blatant violations by Israel, whether in the relentless war in Gaza or the continuing expansion of illegal settlements in the West Bank. Not surprisingly, accusations of double standards have gained traction. The EU demonstrated in its response to Russia's invasion of Ukraine that it *can* act with unity and resolve when the political will exists. Its paralysis on Gaza, in contrast, makes its lofty principles look hypocritical.

Indeed, Europe is already feeling the strategic fallout. The EU and key member states are [struggling to broaden the global coalition against Russia's war of aggression in Ukraine](#), in no small part because many countries see a double standard in Europe's outrage. From the outset of the Ukraine conflict, very few nations outside the traditional Western alliance have been willing to join EU-led sanctions on Moscow. Tellingly, not a single Muslim-majority country and almost no states in the Global South –apart from exceptions like Bahamas and Micronesia– aligned with the EU's sanctions regime against Russia. This credibility gap could cost Europe dearly. The EU's ambition of achieving 'strategic autonomy' in an increasingly multipolar world will depend on building trust and effective partnerships with countries in the Global South. That is far more difficult when Europe is perceived as applying international law only when convenient. Even within Europe, public opinion is shifting. In Germany –a country historically very supportive of Israel– recent polls showed that a majority of citizens oppose Israel's military actions in Gaza. In June 2024, 61% of Germans were against Israel's military conduct in Gaza. In November 2023 that figure [stood at only 31%](#). Such pressure from European public opinion (alongside criticism from Arab and other Global South partners) is making it harder for European leaders to maintain a business-as-usual stance.

### 3. Policy recommendations

If Europe wants to salvage its credibility and influence, EU member states cannot remain sideline spectators in the Gaza crisis. The EU has tools at its disposal; it now needs the political will to use them. Below are several key steps European governments should take, *immediately* and in concert, to exert effective influence and help bring an end to the Israel-Palestine conflict.

#### 3.1. *Work more effectively with Arab countries*

For peace in the Middle East to become a realistic scenario, there is no way around a solution that is satisfactory for Israel's and Palestine's direct Arab neighbours. For Jordan, Egypt and Lebanon having the Palestinian cause solved for good is not optional but a condition sine qua non, as it directly impacts not only on their internal stability because of the high number of Palestinian refugees in their countries, but also on their external stability on the borders with Israel. Also, the Gulf states, and notably Saudi Arabia, UAE and Qatar, have a key interest in a peaceful and politically stable neighbourhood that enables mutually beneficial trade and investments within the region and beyond.

One promising platform is the Arab Peace Initiative (API), a Saudi-proposed plan adopted by the Arab League in 2002 that offered Israel full normalisation with 57 Arab and Muslim-majority countries in exchange for the establishment of a sovereign Palestinian state. While relatively dormant for most of the past two decades the API was [reinvigorated in 2024](#) thanks to well-coordinated efforts between the EU's foreign service, notably the High Representative Josep Borrell and his Special Envoy Sven Koopmans, and the League of Arab States, with a strong involvement of Jordan, Egypt and, importantly, Saudi Arabia. It is also thanks to EU-Arab coordination as well as Riyadh's leadership that at the margins of the UN General Assembly in September 2024 the [Global Alliance](#) for the Implementation of the Two State Solution was launched. President Macron's decision to co-host with Saudi Arabia a Global Alliance follow-up conference in New York in June 2025 is a welcome political step. The Global Alliance meeting would also be a most timely occasion for EU member states to join the 75% of UN members who have already recognised the State of Palestine, with a view to creating more of a level playing field between Israel and Palestine in the international arena.

### *3.2. Protect international law and United Nations institutions*

A key test of Europe's commitment to a rules-based order lies in how it supports international legal mechanisms addressing this conflict, including both the International Court of Justice (ICJ) and the International Criminal Court (ICC). The non-binding character of the [ICJ opinion of July 2024](#) notwithstanding, this is the first time that the world's court has clearly said that Israel's occupation is not only unlawful but that third state parties are compelled to act upon it. UN member states have the obligation not only to abstain from any action that could prolong Israel's occupation of Palestine but also to take measures to end it. [Third-party obligations](#), both political and legal, also exist for the EU and its member states with respect to the consecutive ICJ orders of January, March and May 2024 on the situation in Gaza and to prevent genocide. Given the appallingly high number of children and women killed in Gaza, European countries must immediately halt their arms exports to Israel. Germany, however, continues to be Israel's second most important [supplier](#) of military goods after the US. In the light of the horrific humanitarian disaster caused by Israel's blockade of the Strip, Europe must significantly step up efforts to protect and strengthen UN agencies providing the much-needed aid to Gaza's population, notably UNRWA, WHO, WFP and UNICEF.

EU member states' treaty obligations also apply in the case of the ICC. Members of the ICC are obliged to adhere to and implement ICC rulings, including arrest warrants. There is unanimous agreement among international law experts that an ICC member state would be in flagrant violation of its obligation if an arrest warrant against an indicted individual were not implemented. Hungary's refusal to arrest the Israeli Prime Minister in April 2025 during his visit to Budapest was such a breach. There is little doubt that Germany's Chancellor, Friedrich Merz's invitation to Netanyahu in February 2025 defied the arrest warrant in spirit, if not in the letter. Considering the sanctions on ICC staff announced by the Trump Administration, the EU should take the necessary steps to protect the Court and its members from extraterritorial third-party sanctions, including by activating the EU Blocking Statute (as the EU already does to shield EU companies doing business in Cuba from US sanctions).

The ICJ and ICC decisions have already influenced the normative framework within which the international discourse on the Middle East conflict takes place. It has now become an accepted proposition in the international political and legal arena to criticise Israel for establishing and perpetuating a system of apartheid in the occupied Palestinian territory and to commit war crimes, if not acts of genocide, in its war in Gaza. This has already impacted [public opinion in Europe](#).

### *3.3. Leveraging Europe's economic and diplomatic clout*

The EU has significant leverage it can wield over the parties to the conflict –leverage that until now has been chronically under-utilised–. The most obvious entry point is the EU-Israel Association Agreement (EIAA), where Israel committed itself to respect its human rights obligations towards the Palestinians, as people under occupation, and in compliance with international law. To date, the EU has never taken restrictive measures with reference to the human rights clause, despite Israel's permanent violations. Josep Borrell, with the support of some member states, tried to [pave the way](#) for such a step, but its progress was [blocked](#) by other Member States, and eventually the Foreign Affairs Council [turned down](#) his proposal to suspend dialogue with Israel. But even without activating the human rights clause the EU could simply apply the EU's [differentiation policy](#) (EUDP) towards Israel, as clearly stipulated in the EIAA. It means that the EU does not grant the benefits accruing to Israel under the Agreement, to Israel's illegal settlements, where more than 750,000 Israeli settlers live by now.

The implementation of the EUDP appears to be rather wanting. There is no mechanism in place to stop settlement products receiving subsidies from Israel nor from benefitting directly from the established infrastructural and institutional links to Israel and the international markets. The contrary is true for Palestinian products that face numerous and sometimes insurmountable hurdles and regulations before receiving the authorisation by Israel for export. Also, the mandatory labelling for settlement products is often not respected. Under the EIAA and with reference to the human rights clause, the EU could also decide to completely ban trade with the settlements, issue targeted sanctions against individuals and companies profiting from business in and with the settlements and restrict trade and investment facilitation with Israel proper, as well as impose entry bans for the EU and Schengen area on settlers.

Should the Israeli government continue to refuse taking decisive measures to end the occupation of Palestinian territory and work towards the Two State Solution the EU could also suspend the entire Association Agreement. In short, far-reaching EU sanctions could be applied to any spoiler found to be in obstruction and violation of international law and the bilateral framework established with the EU. With more political ambition and resolve both in Brussels and in member states' capitals, the EIAA could become a very effective tool to convince Israel that the ongoing occupation causes tangible economic and political costs as well as far-reaching legally relevant implications for politicians, military commanders, citizens, companies and entities, and not least those residing in and doing business in the illegal settlements.

[Conditionality](#) should also be considered for the Palestinian Authority, the internationally accepted government in the occupied Palestinian territory. Democratic legitimacy and

good governance are much needed both in the West Bank and in Gaza, where the power vacuum because of the destruction of most of Hamas's repressive political and military apparatus, must be filled as soon as possible with a credible, effective and unified Palestinian government. The EU and its member states should focus more on improving the legitimacy and effectiveness of Palestinian governance, including by conditioning EU aid to the development of a viable and democratic Palestinian state. Both Palestinian and Israeli leaders must be made aware that failure to comply with the expected political objective of ending the occupation and establishing a sovereign, viable and democratic State of Palestine will result in punitive measures that carry significant costs for themselves and their domestic constituencies.

### **3.4. *Forge coalitions of the willing***

Finally, European governments must be willing to act outside formal EU structures. Given the internal institutional and procedural hurdles the EU faces in its external action, some observers hold that for members states who want to act swiftly and with resolve the more promising option is to resort to a 'coalition of the willing'. For instance, several EU capitals are currently pondering ways and means to circumvent Hungary's likely veto against continuing sanctions against Putin. A critical mass of key member states with the necessary political clout and economic firepower acting as a group, yet outside the EU institutional orbit, could thus effectively disable any spoiler attempt by Orbán who feels empowered by Trump's overtures to Moscow. Germany and France have now joined the British Prime Minister, Sir Keir Starmer, in a new format to coordinate political and security measures against Russia's continuing aggression against Ukraine. While this is open to other parties, it is clearly outside the EU institutions whose representatives are not participating.

## **Conclusions**

It is too early to say how successful these initiatives will be in the context of the Russian-Ukrainian war. But there is little doubt that many EU capitals are fed up with waiting for everybody to jump on the bandwagon when time is of the essence and tangible action is required to defend key European interests. It remains to be seen whether European governments who want to contribute to ending the war in Gaza and solving the Middle East conflict are also ready and willing to build the alliances that are necessary to impact on the decision makers in Israel and occupied Palestine. Political resolve and courage are indispensable to move ahead, including outside the established EU structures. The chances of success are greater when some key EU players get their act together. It is against this backdrop that sustained public pressure on politicians in Europe is much needed, both from their own domestic constituencies and their international partners, notably in the Arab world and the Global South. For Europe to become a credible political player in these trying times, member states' governments must now think –and act– outside the box.