

FOREIGN AFFAIRS

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The European Union has rarely played more than an auxiliary role in helping resolve the Israeli-Palestinian conflict, in spite of its multifaceted presence in the region. Over the past two decades, European governments came to believe that achieving a two-state solution was more or less impossible and not worth the investment of time and energy. And to many Europeans, supporting the status quo in Israel while rhetorically condemning some of the country's actions seemed manageable.

It was not. As Europe and the rest of the world looked away, the costs of failing to secure a durable peace in which both Israelis and Palestinians enjoy the right to self-determination became exorbitant.

Some European governments can be hesitant to intervene in other countries' affairs—justifiably, given their colonial history. But Europe can

no longer afford to linger at the margins of a conflict whose most recent iteration began with Hamas's horrific October 7 attack on Israel and continued with the Israeli government's devastating war on Gaza and escalations between Israel and Iran. Not only is Europe's own security at stake, but more important, European history imposes a duty on Europeans to intervene in response to Israel's violations of international law. Moreover, when it comes to the aftermath of the war in Gaza, the EU has experience to offer that no other actor does: practical lessons, hard-won during the twentieth century, about how to reject cycles of endless war and collaborate with former adversaries to achieve peace and prosperity.

To be fair, many European leaders have called on the EU and its member states to take a more active role in peacemaking and are stepping up their individual efforts. But the EU needs a concerted plan. A set of precepts born out of five years spent trying to lead a disunited EU Middle East policy can guide these efforts: the EU must live up to Europe's responsibility to the Middle East and use its as yet untapped financial leverage. It must offer concrete support on the ground to those who want peace. It must confront spoilers on all sides. It must protect those seeking to illuminate facts on the ground. It must back the work of the UN and consistently uphold international law. Before anything else, however, the EU must overcome the internal obstacles to action posed by its member states' divergent approaches to Israel.

DUTY OF CARE

Europeans bear significant responsibility for the conflicts currently roiling the Middle East. We are both the original perpetrators and historical accomplices, guilty by implication in the tragedy that has been unfolding for decades. Since at least the Middle Ages, we have created trauma that contributes to Jewish people's feeling of vulnerability. In the nineteenth century, anti-Semitic European nationalisms and colonial tropes gave rise to Zionism as a secular national movement. After the fall of the Ottoman Empire, European powers carved up the region, carelessly imposing boundaries, aggravating local cleavages, and exploiting its natural

resources. The 1917 Balfour Declaration promised to protect “the civil and religious rights of existing non-Jewish communities in Palestine,” but European leaders did not follow suit. Much had prepared the ground for what many consider the worst crime in human history, the Holocaust.

These dark chapters oblige Europeans to prevent the annihilation of Israel, the safe haven that Jews sought after the Holocaust. But if Europe bears responsibility for its victims, it also bears responsibility for the victims of its victims. After the end of the British mandate in Palestine, Israel’s 1948 war of independence, and the flight or expulsion of hundreds of thousands of Palestinian Arabs from their homes, Europeans did not push back against the UN’s failure to implement its partition plan, which would have established a homeland in Palestine for two peoples. Although the 1967 Six-Day War was triggered by all of Israel’s neighbors, after the war, Europeans failed to stop the Israeli government’s creeping occupation of Palestinian territory and bankrolled serious human rights violations by Israeli troops in the West Bank.

As the twentieth century drew to a close, the EU became content to play a purportedly neutral role, letting the United States take the lead in the Oslo process, offering ultimately inadequate support to the Palestinian Authority, and providing a destination for Israeli tourists and exports. It has perpetuated the problem by turning a blind eye to the utter violation of Palestinians’ rights by settlers and soldiers and ignoring Palestinians’ legitimate aspirations. Europeans cannot stay the hapless fools in this tragic story, dishing out cash with their eyes closed.

But Europeans cannot simply revert to a moralistic tendency to tell others what to do. They must assert that it is in their own interest, too, not only to help create a stable future for Israelis and Palestinians but also to strongly pressure both the Israeli government to do its part and the Palestinian Authority to denounce violence and adopt durable democratic reforms. The Israeli-Palestinian conflict stirs emotions and fuels polarization in European countries, given the shared historical baggage. And increasingly, it is undermining the foundations of the international order that Europeans cherish and rely on. If we do not accept our portion

of responsibility for it, the conflict will impose itself on us. No other conflict overseas is so closely linked to European history. The EU as a whole—not just individual member states—needs to become much bolder in addressing it.

AN EXCESS OF CAUTION

For too long, Europeans have counted on U.S. leadership to resolve the Israeli-Palestinian conflict. This expectation is especially irresponsible now. Many in Europe feel that U.S. President Donald Trump is neither able nor inclined to act as an effective mediator. But no matter what role the United States seeks in the Middle East, Europeans have their own unique role to play, because they have learned firsthand that despite the distorted image of the “other” that politicians may seek to project, most people desire to live in peace with their neighbors. Specific circumstances, however, can allow extremists to gain the upper hand.

Since October 7, the EU has deployed its traditional tools in the region—from economic instruments to normative discourse—but cautiously and inconsistently. It has significantly increased its aid to Gaza—pledging around \$125 million in 2024, including through the United Nations Relief and Works Agency for Palestine Refugees and the Red Crescent—but without adequately ensuring that this aid reaches its targets. It has called repeatedly for a cease-fire and for respect for international law. One of us, Borrell, has issued numerous statements condemning both Hamas’s murderous attacks and Israel’s entirely disproportionate responses.

But internal divisions among member states undermined the EU’s efficacy. Some EU leaders cautiously backed the International Criminal Court’s investigations, while others, such as Austria and Germany, have declined to implement its arrest warrants against Israeli officials. And because EU member states, beginning with Germany and Hungary, could not agree on whether to revisit the

union’s trade policy with Israel, the EU continues to be Israel’s largest trading partner. As a result, the EU, as a bloc, has been largely relegated to

Europe has leverage in the Middle East it hasn’t allowed itself to use.

the sidelines, divided internally and overshadowed in cease-fire diplomacy by the United States and regional actors such as Egypt and Qatar. Shouldn't the EU also have acted as a mediator?

The EU's decades-long experience in fostering peaceful compromise between former enemies—grounded in a philosophy of mutual recognition and nondomination—gives the union special relevance. And it has the practical instruments to play a far more central role in Middle East peacemaking.

To get a full grasp of that leverage, the European External Action Service—the EU's diplomatic agency—will need to give teeth to the many resolutions that the EU Council and European Parliament have put forth over the years, as well as the guidelines set out for a comprehensive Middle East strategy by the 2024–2029 EU Commission. To make good on these appeals, the EU will need to use the full panoply of legal, financial, trade, political, and regulatory tools at its disposal to affect existing levers and pressure points.

Europe has immense leverage, but so far, it hasn't allowed itself to use it effectively. To some extent, this is historically justified, given the continent's long record of power abuse. But when it comes to protecting their core values and vital interests against external threats, Europeans should not hesitate to put their leverage to good use.

CHANGE OF STATE

On the diplomatic front, EU states must start by extending the application of the principle that undergirds the EU itself: reciprocal recognition, which sits at the core of the state-based order created in Europe in the eighteenth century and has transformed the continent into a peace project over the past 80 years. The European Economic Community, the precursor to the EU, first called for Palestinians' right to self-determination in 1980. Although 14 out of 27 EU member states now recognize the state of Palestine, the EU would be much more effective if all of its member states—including the largest, France, Germany, Italy, and Poland—recognized Palestine within the 1967 borders, with mutually agreed-on land swaps. Far from rewarding Hamas,

such a step would empower moderates on all sides who champion diplomatic solutions instead of extremists who preach violence. Rather than waiting for negotiations to make a path to statehood, the EU must affirm that statehood is the pathway to negotiation.

Alongside recognition, and to make the call for a cease-fire credible, the EU must step up its support for Palestinian statebuilding, including by pressuring the Palestinian Authority to become more effective, more accountable, and more democratic, given that the EU remains its top donor. Europe owes this to the Palestinian youth who have long been angered by the corruption of own leadership. Europeans must then translate a shared commitment to a two-state solution into shared leadership with Arab states. The Global Alliance for the Implementation of the Two-State Solution, created at the September 2024 UN General Assembly, can be better used to develop incentives that support the peace camp and encourage other countries in the Middle East to finally recognize Israel alongside a Palestinian state.

Only if Palestinians are able to determine their own fate can postwar governance in Gaza succeed. The EU should help design and fund an International Transitional Authority for Gaza pending the devolution of authority to Gazans, on the model of prior UN initiatives in Cambodia and East Timor. Europe must take a stronger stance against actors who flout its taxpayers' norms and the interests by destroying or confiscating EU-funded infrastructure in the West Bank and Gaza. But the European agenda must also aim to reverse Gazans' utter dependence on outside aid while enhancing reconstruction standards. The EU can and should be central to Gaza's reconstruction, given Europeans' experience with sustainable and environmentally friendly construction techniques. It must help unite the rest of the world against any attempt to uproot Palestinians from their land, whether by resettlement, annexation, transfer, or mass expulsion.

Europe must also invest much more, and more effectively, in supporting civil society groups that are fighting for peace in the spirit of mutual respect, empathy, and recognition. The EU, and not only individual

member states, must spotlight and broadcast in Israel as well as in the Arab world the remarkable peace efforts made by Israeli and Palestinian civil society activists—including, for instance, the Alliance for Middle East Peace, Women Wage Peace, Women of the Sun, Parents Circle-Families Forum, Breaking the Silence, B’Tselem, and the 2024 process that led to the Barcelona declaration on “our shared humanity.” And Europe must strongly oppose the Israeli proposal to tax foreign aid to peace organizations by 80 percent while countering pressure on civil society organizations that opposed the Palestinian leadership.

More concretely, and when the time is ripe, the EU could support the convening of a citizens’ “peace assembly” made up of randomly selected Israelis and Palestinians who would gather on neutral ground over several months to help design a path to peace. Europeans have started to convene such assemblies in the last decade which have also around the world to underpin peace processes. It is time to give citizens in the Middle East a far bigger say in their own future.

SPOILER EFFECT

One of the most important lessons that centuries of wars taught Europe is that international relations is not a zero-sum game. But for too long, Europe has failed to apply this lesson in confronting spoilers in the Middle East determined to sidetrack a peace process. The EU rightly listed Hamas and Palestinian Islamic Jihad and other groups as terrorist entities more than 20 years ago. But it has done little to sanction Israeli settlers who perpetuate violent acts against Palestinians.

Moreover, the EU has yet to act in the face of Israel’s war crimes in Gaza. Such unbalanced pressure ends up strengthening spoilers on both sides of a conflict. The hard-liners who escape penalties feel vindicated and emboldened, and those who are targeted use the pressure to garner sympathy with their constituencies.

Consistency is paramount in a policy world replete with accusations of double standards. The EU cannot impose an import ban on products from Russian-occupied areas of Ukraine and shy away from imposing them on products from illegal settlements in the West Bank. Nor can the EU call

on other states to honor the International Criminal Court’s arrest warrant for Russian President Vladimir Putin and announce that it will not enforce the same body’s warrant against Israeli Prime Minister Benjamin Netanyahu.

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The EU can rectify this: it could, for instance, revoke visa waivers for residents of settlements and implement Schengen-wide individual entry bans. In fact, by imposing visa requirements only on West Bank Palestinians and not on settlers who live there, the EU becomes complicit in an apartheid-style regime. Crucially, the EU-Israel Association Agreement—the central legal framework that has governed relations between the EU and Israel since 2000—could be reexamined. Its Article 2 provides a legal basis to reconsider the agreement’s terms in response to human rights violations. A recent investigation by the EU’s own human rights envoy clearly established these violations. Seventeen member states have now joined Ireland and Spain in calling for a reassessment of the agreement.

First, and at a minimum, the EU could take preliminary steps such as initiating a formal review of the agreement, suspending summits and high-level political contacts between European and Israeli leaders, or suspending Israel’s participation in some EU programs such as Erasmus+, which supports education. Even more important, the EU can send a strong message to Israel’s government and citizens by suspending the agreement’s trade provisions, which in practice would mean pausing Israel’s preferential tariffs. In line with an International Court of Justice 2024 advisory opinion warning states “to abstain from entering into economic or trade dealings with Israel” that “entrench its unlawful presence” in occupied Palestinian territories, the EU should also ban imports from illegal settlements altogether—imports that already fall outside the Association Agreement.

Although unanimous support from EU member states is required to suspend the entire agreement, most experts in the European Commission’s

Legal Service assert that only a qualified majority vote—in which policies can be adopted by 55 percent of states representing at least 65 percent of the EU’s total population—is needed to suspend its trade provisions. Given that the EU has only ever suspended preferential trade provisions with Myanmar and Cambodia, such a move would be of high symbolic significance. Nothing should stop the EU’s top diplomat, Kaja Kallas, from supporting such a move at the next EU Foreign Affairs Council in July.

MOMENT FOR TRUTH

The EU must also uphold its values by supporting the free flow of factual information. Hamas has denied the media its independence by harassing, detaining, and censoring journalists who report critically on its actions or governance. In Gaza, Netanyahu’s government has imposed the longest media blackout in the history of modern journalism. More journalists have been killed in the strip than in any previous armed conflict. Israel refuses to cooperate with UN-mandated investigators, defying legally binding orders made by the International Court of Justice.

Hate speech, incitement, supremacist discourse, disinformation, and narrative manipulation online are fueling anti-Semitism as well as anti-Arab and anti-Muslim hatred. The EU already has strong regulatory powers over social media companies, and it can do more to dissolve digital echo chambers by obliging social media companies to disclose and adapt their algorithms.

One sometimes hears the argument that there can be “no moral equivalence between a democratic state and a terrorist group.” In principle, this makes perfect sense. When dealing with the rule of law, however, the nonequivalence argument falls apart. There is a reason why justice is blindfolded, why both sides of her scale are level, and why courts must be independent from politics. Judges must examine the act, not the actor.

The EU must make it much clearer that it will not tolerate efforts to intimidate international courts. Recent threats and sanctions against ICC

officials by Israel and the United States constitute a direct challenge to the multilateral legal order the EU claims to champion.

Although the EU's 1996 Blocking Statute is still in force, the way it is applied has become outdated. Originally designed to shield EU companies from the extraterritorial reach of U.S. sanctions—such as those targeting Cuba or Iran—it has not yet been adapted to protect institutions such as the ICC or its EU-based personnel from similar coercive measures. A revised Blocking Statute should explicitly include such provisions and ensure that the union's legal and diplomatic infrastructure resists extraterritorial pressure. And the EU should consider targeted sanctions—such as travel bans and asset freezes—against individuals and entities, whether governmental or nongovernmental, that seek to obstruct or delegitimize international justice mechanisms. This move would demonstrate that the EU is willing to match, with concrete deterrent measures, its rhetorical support for the rules-based order.

DEVIDE AND CONQUER

Before anything else, however, Europeans need to have a frank discussion about the elephant in the room: their disunity when it comes to condemning Israel or recognizing a Palestinian state. This disunity has prevented the EU from using its immense leverage to good effect. The Gaza war has underscored the EU's alarming inability to make timely decisions, even when a large majority of member states agree. For instance, despite the fact that a majority of EU states supported a call for a cease-fire in October–November 2023, the EU could not act decisively.

Europe cannot stand for the values it believes in without improving its decision-making processes. Some reforms do not require a change to the EU's treaty. The EU's Common Foreign and Security Policy currently requires unanimous votes for decisions on military or defense matters, sanctions, and most foreign policy positions. But member states could enact a switch to qualified majority voting in some areas of foreign policy, although such a switch would need to be decided by unanimity.

Alternatively, to bypass the reluctance of some member states, a smaller group could establish a so-called CFSP+, or an addition to the Common

Foreign and Security Policy. The existing provisions on enhanced cooperation in Article 20 of the EU's Treaty allow for at least nine member states to come together to utilize certain foreign policy tools not related to defense. Because such an action has never been taken before, those states would have to explore what a CFSP+ would concretely allow them to do. But they may well be able to use the EU's trade, aid, and political leverage more decisively.

The Israeli-Palestinian crisis has shown how easily the EU can become paralyzed on divisive subjects. This is the moment to overcome the crippling effect of 27 veto powers—for the sake of European policy as well as for the Middle East. Such a change might, in turn, make it easier for the EU to help codesign a peace plan incorporating the views of all the relevant actors in the region. If a majority of member states can coalesce more effectively around a vision, the rest might follow. Europeans once trod the path from war to stable coexistence to mutual flourishing. We must allow ourselves to hope that our recent history can inspire our neighbors to trace their path to peace.