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E-001634/2026

Answer given by High Representative/Vice-President Kallas
on behalf of the European Commission
(1.7.2026)

The EU has a principled position against the death penalty in all cases and in all circumstances.

The approval of the Death Penalty Law by the Israeli Parliament marks a grave regression from Israel's long upheld moratorium and from its own commitments. The EU is deeply concerned about the de facto discriminatory character of the Law¹. Consistent with the EU global efforts towards universal abolition of the death penalty, the EU urges Israel to abide by its previous principled position and with its obligations under international law, as well as its commitment to democratic principles, as reflected also in the provisions of the EU-Israel Association Agreement². The death penalty is a violation of the right to life and cannot be executed without violation of the absolute right to be free from torture and other ill-treatment.

In 2024, a review of the EU-Israel Association agreement concluded that Israel would be in breach of Article 2 (human rights clause) of the said Association Agreement. Following the review, and in light of the deteriorating humanitarian situation in Gaza, the Commission's President announced a set of measures, including the suspension of certain trade-related provisions of the EU-Israel Association Agreement. This requires the support of the qualified majority of Member States. Discussions are ongoing in the Council.

Measures ensuring the legal protection of persons incarcerated in third countries fall under the jurisdiction of the third countries in question. Nevertheless, the EU will use the tools at its disposal and urge Israel not to enforce the Death Penalty Law, which is currently under review by the Supreme Court.

¹ https://www.eeas.europa.eu/eeas/israel-statement-spokesperson-death-penalty-bill_en.

² https://eeas.europa.eu/archives/delegations/israel/documents/eu_israel/asso_agree_en.pdf.