

8 May 2009

To: EU ministers of foreign affairs

Re. EU-Israel upgrade and the forthcoming Association Council

Dear Minister,

We are writing to you as a coalition of 21 European and international human rights, development and humanitarian organisations with regard to the ongoing debate about the upgrade of EU-Israel relations and in view of the 9th EU-Israel Association Council meeting, which has been postponed until 15-16 June 2009.

At the previous Association Council in June 2008, the EU responded positively to Israel's request to upgrade EU-Israel relations. At that time many of the undersigned organisations asked that any upgrade be clearly linked to tangible improvements in Israel's respect for human rights, international humanitarian law and its commitments under the Middle East Peace Process. In its December 2008 Conclusions, the Council of the EU stated that the upgrading of its relations with Israel "must be based on the shared values of both parties, and particularly on democracy, respect for human rights, the rule of law and fundamental freedoms, good governance and international humanitarian law".

However, since the EU's decision, there has been no improvement but rather deterioration. The blockade of Gaza, which constitutes a collective punishment of its 1.5 million people, the majority of whom are children, has not been lifted as requested by the EU but further tightened. Vital and basic commodities (cash, food and fuel items, educational supplies, construction materials) are routinely denied entry. The Gaza war in December 2008 - January 2009, which caused at least 1,300 deaths, has further aggravated the crisis caused by the protracted blockade. Rehabilitation efforts to which EU donors have pledged support are blocked, while thousands of families remain displaced, unable to rebuild their homes. There are also allegations of serious violations of international law by all parties that have not yet been properly investigated.

In the West Bank, the expansion of Israeli settlements has not stopped as requested by the EU but accelerated: in 2008, there was a 60% increase in newly built structures and an eight-fold increase in construction tenders compared to the previous year.¹ Physical obstacles to movement in the West Bank paralysing the Palestinian economy and daily lives have not been removed as requested by the EU but increased from 602 in June 2008 to 632 in March 2009.² Illegal practices in and around East Jerusalem including new settlements, evictions of Palestinian families and house demolitions have also accelerated: in 2008, there was a six-fold increase in the number of approved new Israeli housing units to be built in East Jerusalem.³

All these policies and actions are breaches of human rights and international humanitarian law and of Israel's peace process commitments. Repeated EU requests to change these practices have not been heeded. Israel does have legitimate security concerns, for example with regard to rocket and mortar attacks by Palestinian armed groups from Gaza, but this does not justify violations of human rights and international law. In fact, the above-mentioned Israeli policies and actions in Gaza and the West Bank including East Jerusalem are counterproductive to assuring the long-term security of both Israelis and Palestinians which requires a just and peaceful resolution of the conflict.

¹ Peace Now: 2008 – the Year in Settlements in Review.

² UN Office for the Coordination of Humanitarian Affairs: Movement and Access Report No. 68 and No. 87.

³ Peace Now: *ibid.*

Given these developments, we call on the EU to:

- 1) **Confirm publicly that the upgrading of mutual relations is put on hold, pending tangible progress in Israel's respect for human rights, international humanitarian law and its peace process commitments;**
- 2) **Use the opportunity of the EU-Israel Association Council to advance the necessary steps including an immediate end to the Gaza blockade and to the settlement expansion and house demolitions;**
- 3) **Take further steps to ensure that any existing cooperation instruments between the EU and Israel are only applied to Israel proper and in no case to the Israeli settlements in the Occupied Palestinian Territory;**
- 4) **Urge Israel to resume as soon as possible its stalled human rights dialogue with the EU; and**
- 5) **Ensure that any future EU-Israel Action Plan contains concrete action points regarding Israel's obligations under international humanitarian and human rights law and the peace process, which are missing in the current Action Plan.**

Let us stress that we support enhanced cooperation between the EU and third countries and understand the benefits that an upgrade of relations with Israel could bring to both sides. However, we believe the EU has to link the upgrade with Israel to its obligations under international law and under the peace process in order to help induce positive change in its policies as well as to ensure the EU's credibility as a supporter of international law and human rights worldwide.

Yours sincerely,

Copies to:

Benita Ferrero-Waldner, Commissioner for External Relations and European Neighbourhood Policy
Javier Solana, High Representative for the Common Foreign and Security Policy