



# **NO ASSOCIATION WITH OCCUPATION**

SUSPEND THE **EU-ISRAEL** ASSOCIATION AGREEMENT





# THE EU-ISRAEL ASSOCIATION AGREEMENT

Entering into force in 2000, the EU-Israel Association Agreement is the main treaty regarding relations between the EU and Israel.

The Association Agreement facilitates largely unrestricted trade between the EU and Israel and allows Israel to participate in more EU programs and projects than any other non-European country. As part of the Association Agreement, the EU-Israel Action plan sets out Israel's participation in a wide variety of EU programs including the Horizon 2020 research funding program, the satellite navigation project Galileo and the Erasmus academic exchange program.

According to the Israeli government, Israel contributed €535m to the budget for the EU's 7th Framework Program research program between 2007 and 2013, yet Israeli firms and institutions received funding worth €840 million.<sup>1</sup> Israel is expected to benefit similarly from the new Horizon 2020 research funding program.

Article 2 of the Association Agreement states that: "Relations between the Parties... 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".

<sup>1</sup> [http://www.iserd.org.il/\\_Uploads/dbsAttachedFiles/ISERD\\_EN.pdf](http://www.iserd.org.il/_Uploads/dbsAttachedFiles/ISERD_EN.pdf)



## CREATING A CLIMATE OF IMPUNITY

The continued application of the EU-Israel Association Agreement despite Israel's clear violation of the Article 2 clause sends a message to Israel that its massacres of Palestinians will be tolerated and will not result in any meaningful impact on its close relations with the EU. This creates a climate of impunity.

The EU suspended its association agreement with Sri Lanka in 2010 and has applied restrictive measures on Russia with regards to its annexation of Ukrainian territory and a host of other states judged to have violated human rights and international law in recent years.<sup>2</sup> The failure to apply similar measures to Israel is a double standard that amounts to support for Israel's continued violations of international law.

Palestinian civil society organisations recently wrote to the EU External Action Service to explain that this double standard “sends a clear message to Israel that its massacres of Palestinians will be tolerated and will not result in any meaningful impact on its intimate relations with the EU.”<sup>3</sup>

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<sup>2</sup> [http://eeas.europa.eu/cfsp/sanctions/docs/measures\\_en.pdf](http://eeas.europa.eu/cfsp/sanctions/docs/measures_en.pdf)

<sup>3</sup> <http://www.eccpalestine.org/wp-content/uploads/2014/09/Palestinian-letter-Ashton-18-Sep-2014.pdf>

# EU POLICY ON RESTRICTIVE MEASURES AND ISRAEL'S VIOLATIONS OF INTERNATIONAL LAW

According to the EU External Action Service, restrictive measures can be applied by the EU “to bring about a change in policy or activity by the target country, part of a country, government, entities or individuals...They are a preventive, non-punitive, instrument which should allow the EU to respond swiftly to political challenges and developments.”<sup>4</sup>

The EU has imposed restrictive measures, including the suspension of Association Agreements and trade restrictions, on a wide range of countries that violate international human rights and humanitarian law, including Russia and Sri Lanka.

Governments, individually and in groups, are legally obliged to act and adopt measures that end serious violations of international law committed by another state.<sup>5</sup>

## **Israel's serious violations of international law include:**

- The deliberate killing of civilians and targeting civilian infrastructure by the Israeli military, including during the summer 2014 attack on Gaza.
- The permanent acquisition of occupied Palestinian territory and violation of the right to self-determination through appropriation of Palestinian land and resources, the construction of the settlements and the Wall and annexation.
- The policy of forced population transfer through the construction of illegal settlements on occupied Palestinian territory and the forced displacement of Palestinians.
- The systematic discrimination and oppression of Palestinians.

These are serious violations of international humanitarian and human rights law which all states and the EU have an interest and legal obligation to stop through appropriate measures, including restrictive measures.

In 2004, the International Court of Justice ruled that all states have a legal obligation to take steps that will end the serious Israeli violations of international law relating caused by the illegal Wall and the construction of settlements on occupied Palestinian territory.

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[http://eeas.europa.eu/cfsp/sanctions/index\\_en.htm](http://eeas.europa.eu/cfsp/sanctions/index_en.htm)

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Draft Articles on Responsibility of States for Internationally Wrongful Acts adopted by the International Law Commission and commended to governments in UN General Assembly Resolution A/RES/56/83 of 12 December 2001; in particular Articles 41, 49 and 54)

# DIRECT SUPPORT FOR ISRAEL'S CRIMES

Israel's participation in EU programs often provides financial and other forms of support to Israeli bodies that are at the heart of Israeli oppression of Palestinians.

Since 2007, Israeli weapons companies Elbit Systems and Israeli Aerospace Industries (IAI) have been allowed to participate in EU funded research projects worth €244 million (\$313.6 million).<sup>6</sup>

Several projects involving these firms were directly related to the development of drones. Elbit and IAI are the two main providers of drones used by the Israeli military to commit deliberate attacks on Palestinian civilians. It seems highly probable that this summer's massacre in Gaza was carried out using technology that the EU directly helped to develop.

Other participants in recent EU research projects include the Israeli Antiquities Authority, which collaborates with settler organisations to displace Palestinians from East Jerusalem, and the Hebrew University, which has campuses and student housing in occupied Palestinian territory.<sup>7</sup> The Israeli Antiquities Authority has been shown to deceive EU authorities about its role in Israeli violations of international law.<sup>8</sup>

The Israeli police force, which is headquartered in East Jerusalem and is deeply involved in maintaining Israel's occupation and committing human rights violations, has taken part in a number of activities coordinated by Europol, the EU's police agency, over the past few years.<sup>9</sup> Israel continues to seek full membership of Europol, which would allow Israeli security forces to view data collected by European police forces.

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<sup>6</sup> <http://www.waronwant.org/attachments/Killer%20Drones,%20War%20on%20Want.pdf>

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<sup>7</sup> [http://ec.europa.eu/research/csfr/pdf/contributions/post/palestinian\\_territory/stop\\_the\\_wall\\_campaign.pdf](http://ec.europa.eu/research/csfr/pdf/contributions/post/palestinian_territory/stop_the_wall_campaign.pdf)

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<sup>8</sup> <http://electronicintifada.net/blogs/david-cronin/revealed-eu-science-chief-promised-be-flexible-towards-israels-war-crimes>

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<sup>9</sup> <http://electronicintifada.net/blogs/david-cronin/eu-stepping-police-cooperation-israel>



## **ECONOMIC LINKS IN SUPPORT OF OCCUPATION**

The Association Agreement has facilitated a vast growth in EU-Israel economic relations.

Israeli exports to the EU were worth €12.5 billion during 2013, accounting for 33 percent of all Israeli exports and making the EU the single biggest market for Israeli goods.<sup>10</sup>

The EU and many of its governments dedicate significant resources to encouraging growth in trade and economic cooperation with Israel.

A recent EU “mission for growth” to Israel involved Ahava, the cosmetics company based in an Israeli settlement in the West Bank, and a subsidiary of the Israeli arms company Elbit Systems.<sup>11</sup>

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[http://trade.ec.europa.eu/doclib/docs/2006/september/tradoc\\_113402.pdf](http://trade.ec.europa.eu/doclib/docs/2006/september/tradoc_113402.pdf)

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<http://www.eccpalestine.org/european-companies-urged-to-abandon-eu-led-mission-for-growth-project/>

# COLLABORATION WITH ILLEGAL ISRAELI SETTLEMENTS

The EU has failed to take adequate action to tackle the participation of European businesses in Israel's settlement enterprise or to meet its legal obligation to restrict trade with illegal Israeli settlements.<sup>12</sup>

The EU continues to allow Israel to export large quantities of products produced or partly produced in illegal Israeli settlements to Europe and products from illegal settlements are widely sold by European retailers, providing direct economic support to the ongoing expansion of the settlements.

Many European businesses such as Volvo, G4S, Dexia and Veolia contribute to the existence and expansion of illegal Israeli settlements by providing infrastructure and support services and investment and finance to them.<sup>13</sup>

The EU recently banned all products from Crimea unless they are accompanied by a certificate of origin from the Ukrainian authorities and took steps to prohibit investment and economic links that bolster Russia's annexation of Ukrainian territory.<sup>14</sup> Again, the failure to apply similar steps to Israel is a double standard that amounts to encouraging Israeli impunity.

In June 2013, the European Union introduced new guidelines concerning its relations with Israel. The guidelines prohibit the EU from recognising Israeli sovereignty over occupied Palestinian territory and prevent EU funding from being awarded to Israeli projects or entities based in illegal Israeli settlements. While a welcome step, the impact of these guidelines is being severely undermined by the deep economic relations that continue to exist between the EU and illegal Israeli settlements.

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<http://www.alhaq.org/advocacy/targets/european-union/662-new-al-haq-report-feasting-on-the-occupation-highlights-eu-obligation-to-ban-settlement-produce>

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<http://www.eccpalestine.org/the-contribution-of-european-businesses-to-the-existence-and-expansion-of-illegal-israeli-settlements/>

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[http://eeas.europa.eu/ukraine/pdf/swd\\_2014\\_300\\_f2\\_joint\\_staff\\_working\\_paper\\_en\\_v8\\_p1\\_776932.pdf](http://eeas.europa.eu/ukraine/pdf/swd_2014_300_f2_joint_staff_working_paper_en_v8_p1_776932.pdf)



## RECOMMENDATIONS

- The EU should apply restrictive measures on Israel, including by suspending the Association Agreement, as a way to pressure Israel to comply with international law and end EU support for Israeli violations of international law.
- At the very least, the EU should meet its legal obligations not to provide support to Israel's illegal Israeli settlements by banning trade and economic relations that sustain illegal Israeli settlements.
- The EU should take steps to exclude Israeli military companies from participating in EU research frameworks such as Horizon 2020.
- MEPs should vocally support the suspension of the Association Agreement and other restrictive measures on Israel.

Photos: p. 1: ABP, Yann Renault – p. 2: Fellesutvalget for Palestina – p. 3: Sara Apps – p. 6: Fellesutvalget for Palestina – p.8: Fellesutvalget for Palestina

