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An Open letter on Israel/Palestine

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32138 Views

Open letter to:

- EU Council President Costa
- EU Commission President Von der Leyen
- EU Parliament President Metsola
- EU HRVP Kallas
- EU Commissioner Suica

We are a group of 27 former Ambassadors of the European Union who have served in the Middle East/North Africa region and/or retain a strong interest in what is happening there. We wish to express our deep concern about the EU's response to developments since the heinous attacks of October 7th, 2023.

The deaths of many hundreds of innocent Israeli civilians and the taking of hostages by Hamas and others can never be justified and we unequivocally condemn those crimes.

That said, the Israeli military campaign over the last 21 months has led to the deaths or serious injury of many tens of thousands of Palestinians, the vast majority of them innocent civilians, including an alarming number of children, as well as to an appalling degree of destruction of Gaza's housing, medical facilities, schools, food distribution centres and infrastructure.

In short, Israel's reaction to October 7th has been, as stated by several UN instances, indiscriminate and completely disproportionate. We note that the International Court of Justice in its provisional orders issued last year concluded that there is a plausible risk of genocide.

Moreover, the Israeli authorities' continuous restrictions on aid delivery in Gaza and its victimisation of key humanitarian agencies like UNRWA has caused immense suffering among the remaining population, which is forced to live in what by any measure are utterly inhumane conditions. This is against all civilised international norms.

We note that the humanitarian distribution system imposed by Israel and the US since April, which sidelines experienced UN agencies and International NGO's, and neglects core humanitarian principles of impartiality, neutrality and independence has only worsened the suffering.

To add that there been a reluctance by the EU to take serious action against Israel's illegal occupation of the West Bank and its government's de facto encouragement of violent settler groups in their attacks on the Palestinian population there, as well as the further annexing of land in flagrant violation of international law.

Against this background, the EU's foreign affairs committee in May decided to review the EU-Israel Association Agreement, which covers all aspects of relations between the two sides, based on Israel's alleged violation of article 2, which states that the two sides are committed to "respect for human rights and democratic principles, which guides their internal and international policy and constitutes an essential element of this Agreement".

As you know, the term 'essential element' in the language of the Vienna Convention means that if one side is found to be in breach of such an article, the other can suspend the agreement, in whole or in part.

With the rule of law as a founding principle, the EU lives or dies by the full application of international law to its agreements, and in that regard needs must abide by the conclusions of this review.

In the event, HRVP Kallas made clear in her press conference on June 23rd that Israel had in fact been found by the review to be breaching article 2, but refrained from following through with concrete measures, in the hope that the situation on the ground would somehow improve, and that there would be further discussion at the foreign affairs committee next week.

It remains to be seen whether a truly enduring ceasefire in Gaza will come to pass, but even if hostilities are paused, we believe that a clear message, beyond declarations, needs to be sent to the Israeli government that the EU will take effective action, if only to keep up the pressure on it until it is ready to silence its guns and choose diplomacy over aggression, something it manifestly failed to do when the previous ceasefire was broken last March.

If consensus among the Institutions and member states on a full suspension of the Agreement is not forthcoming, we strongly urge the European Commission and External Action Service to at least propose the suspension of those aspects falling under 'community competence', notably the trade preferences and horizon research programme. This can be agreed by a qualified majority. Such a proposal should also include a complete ban on trade in all products and services from, as well any business transactions with, illegal Israeli settlements in the West Bank.

That said, failure to take any action will further tarnish the EU's already damaged reputation in the region and more generally to its foreign policy in the wider world, where it has come in for serious criticism on the grounds of double standards vis-à-vis its principled and unambiguous stance on Russia's invasion of Ukraine. Lack of any follow through on a breach of article 2 will also give sustenance to bad actors at home and abroad who search for a 'cause celebre' for their violent extremism.

In these uncertain times, we naturally want to see the EU fulfill its role as a major player on the world stage, protecting its citizens, its interests and its values wherever it must, and advancing the causes which comprise its political DNA where it can. A significant part of this involves forging a more credible and consistent approach to the conflict in the middle east.

Disclaimer: The views expressed are solely those of the author(s) and not necessarily those of CEPS as an institution.

Signed

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