

EU202 Consultation Contribution by the International Solidarity Movement – London Chapter.

The International Solidarity Movement (ISM) is a global network of people who show solidarity with Palestinian non-violent efforts of resistance. The ISM campaigns both in the Occupied Palestinian Territories (OPT) but also in the countries of its constituent members, inclusive of England, Scotland, Spain, France, Germany, Norway, Sweden, Denmark and the USA. Much of the campaigning has focussed on raising awareness of the continuing human rights crisis in the OPT and Gaza and the violence perpetrated through the Israeli occupation. It has had a presence in the OPT since its inception in 2001 and has documented the violence and aggression perpetrated by both the Israeli state and Israeli settlers throughout this time. During Operation Cast Lead, ISM had an ongoing presence inside Gaza, with British members working with Palestinian medical teams to assist them during Israeli attacks. Finally, a major aspect of our work in the UK involves supporting the Boycott, Divestment and Sanctions initiative – a Palestinian non-violent effort at resisting the occupation at a local and international level.

The contributions within this paper serve to represent the position of ISM London Chapter alone.

The EU2020 consultation document makes explicit its key aims and objectives of the EU2020 agreement. These being economic recovery and growth, incorporation of greener strategies without compromising business needs and greater social inclusion across the region. Where commitment to human rights, democracy and the rule of law are foundational components of all EU agreements, we ask that this is retained as a matter of priority. At no point, economic growth should come at the compromise and expense of the human rights promoted by the EU. Human Rights must be a fundamental basis upon which all policy must be derived, and the pivot upon which it is applied.

In light of this, it is essential that EU2020 policy is suitably responsive to the human rights abuses that are committed by either its members states or external states with which it holds political and economic relations. It is upon this basis that we draw attention to the state of Israel and the relationship it holds with the EU.

Currently the EU holds several agreements with Israel inclusive of the EU-Israel trade agreement. Within this, it is clearly stated in article 2 that,

"Relations between the Parties, as well as all the provisions of the Agreement itself, 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."[\[1\]](#)

The state of Israel has committed grave violations of international law and human rights on innumerable occasions. Of these, some of the most explicit examples are set out within the recent report by Justice Richard Goldstone[\[2\]](#) on behalf of the UN's fact finding mission in Gaza. The investigation makes explicit references to Israeli violations of human rights, excessive use of force and violation of International Laws of War and makes reference to grave crimes against humanity. UN resolutions have found the Israeli state in flagrant violation of it's obligations to uphold international law, with particular respect to the Fourth Geneva Conventions and the construction of West Bank Settlements and the issue of collective

punishment both within the West Bank but particularly so in the Gaza strip as a consequence of the economic siege upon this area of Palestine.

Similarly, in 2004, the International Court of Justice (ICJ) has clearly set forth its position on Israel's violations of international law. With particular reference to the construction of the Wall, its advisory opinion states that,

"The construction of the wall being built by Israel, the occupying power, in the Occupied Palestinian Territory, including in and around East Jerusalem, and its associated regime, are contrary to international law."[\[3\]](#)

Furthermore, the ICJ set forth that,

"All states are under obligation not to recognize the illegal situation resulting from the construction of the wall and not to render aid or assistance in maintaining the situation created by such construction; all States parties to the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949 have in addition the obligation, while respecting the United Nations Charter and international law, to ensure compliance by Israel with international humanitarian law as embodied in that convention."[\[4\]](#)

It is upon this basis that policy created and its application must be consistent. It is in compliance with the duty of non-recognition, the creation and application of EU2020 policy must be subsumed. Where Israel has shown contempt for the human rights of Palestinians on innumerable occasions, the relationship the EU holds with Israel must be modified to reflect this. In effect this means the implementation of sanctions and the removal of preferential trade agreements as a minimum.

To maintain preferential terms of trade and political negotiation with Israel reflects a disregard for human rights as much by the EU as by Israel itself, and contravenes the basis upon which those relations are assumed, ie. Article 2 of the EU-Israel trade agreement. It further lends impunity to Israel by the EU by rendering Israel immune from effective international efforts to dissuade Israel from committing such abuses. Where the economy of a state gives rise to the political and military capacity of that state, trading with Israel on preferential terms serves only to facilitate and strengthen Israel's capacity to inflict human rights abuses upon the Palestinians.

Where the EU claims to hold clauses in its agreements to enable it to suspend or cancel trade and aid agreements with countries that violate human rights,[\[5\]](#) these clauses must be mobilised and trade agreements suspended in light of Israel's ongoing violation of Human Rights in respect of the Palestinians.

European Neighbourhood Policy based upon democracy and human rights currently incorporates Israel and offers deeper political and economic involvement and integration. On the basis that human rights are a foundational requisite, where Israel commits grave human rights abuses, rescinding this policy must be a viable option and must be implemented.

It is hoped that the consultation for EU202 will acknowledge and incorporate these issues into its future policy construction and application. As stated at the outset,

where EU2020's priorities are focussed upon the economic, environmental and social direction the European Union is set to take over the coming years, this must not be at the expense of human rights, either within the EU or beyond.

[1] http://www.delisr.ec.europa.eu/english/content/eu_and_country/asso_agree_en.pdf p2

[2] http://www2.ohchr.org/english/bodies/hrcouncil/specialsession/9/docs/UNFFMGC_Report.pdf

[3] <http://www.icj-cij.org/docket/files/131/1671.pdf> p 201

[4] <http://www.icj-cij.org/docket/files/131/1671.pdf> p 202

[5] <http://www.delisr.ec.europa.eu/newsletter/ENGLISH-FINAL.pdf> p7)