

EU and EU Member States' Policies and Practice in Jerusalem

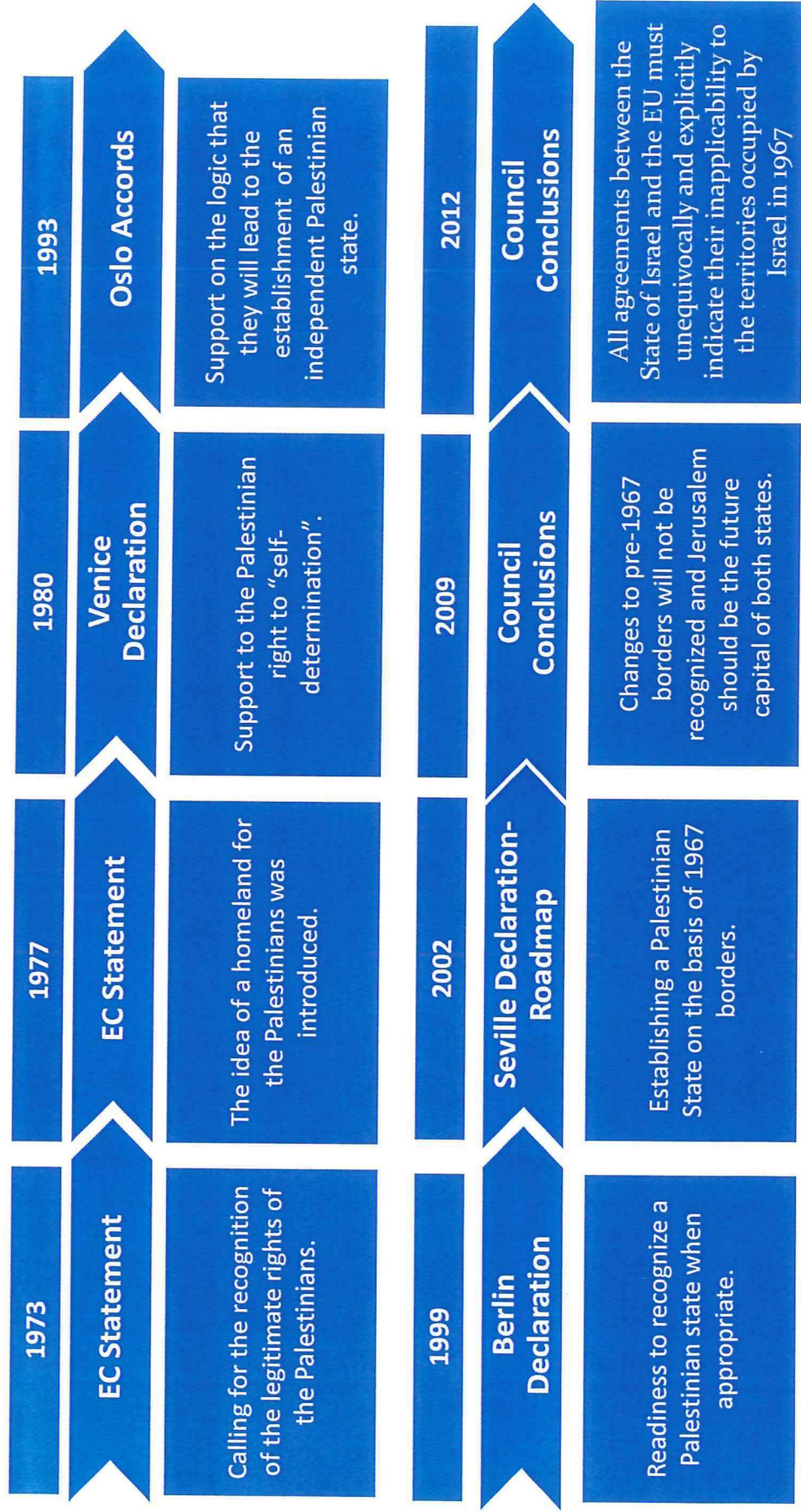
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after 50 years of Occupation and 25 years of the Oslo Accords”

Rabat, 27 June 2018

The EU's role in the Israeli-Palestinian Conflict

– High Politics Diplomatic Activity



EU's position with regard to the 'core' issues

- **Borders:** the EU considers that the future Palestinian state will require secure and recognised borders. These should be based on a withdrawal from the territory occupied in 1967 with minor modifications mutually agreed, if necessary, in accordance with UNSC Resolutions 242, 338, 1397, 1402 and 1515 and the principles of the Madrid Process.
- **Israeli settlements:** The expansion prejudices the outcome of final status negotiations and threatens the viability of an agreed two-state solution. The EU considers that settlement building anywhere in the Occupied Palestinian Territory, including East Jerusalem, is illegal under international law.
- **Jerusalem:** The EU considers Jerusalem as the future capital of both states. The EU supports institution building work in East Jerusalem, notably in the areas of health, education and the judiciary.
- **Palestinian refugees:** the EU supports a just, viable and agreed solution on this question. Since 1971 the EU has been providing significant support to the work of agencies providing vital services to the Palestinian refugees (UNRWA). It is committed to adapting this support as appropriate, in pursuit of a just and equitable solution to the refugee issue.
- **Security:** the EU condemns all acts of violence which cannot be allowed to impede progress towards peace. The EU recognises Israel's right to protect its citizens from attacks, but emphasizes that the Israeli Government, in exercising this right, should act within international law.

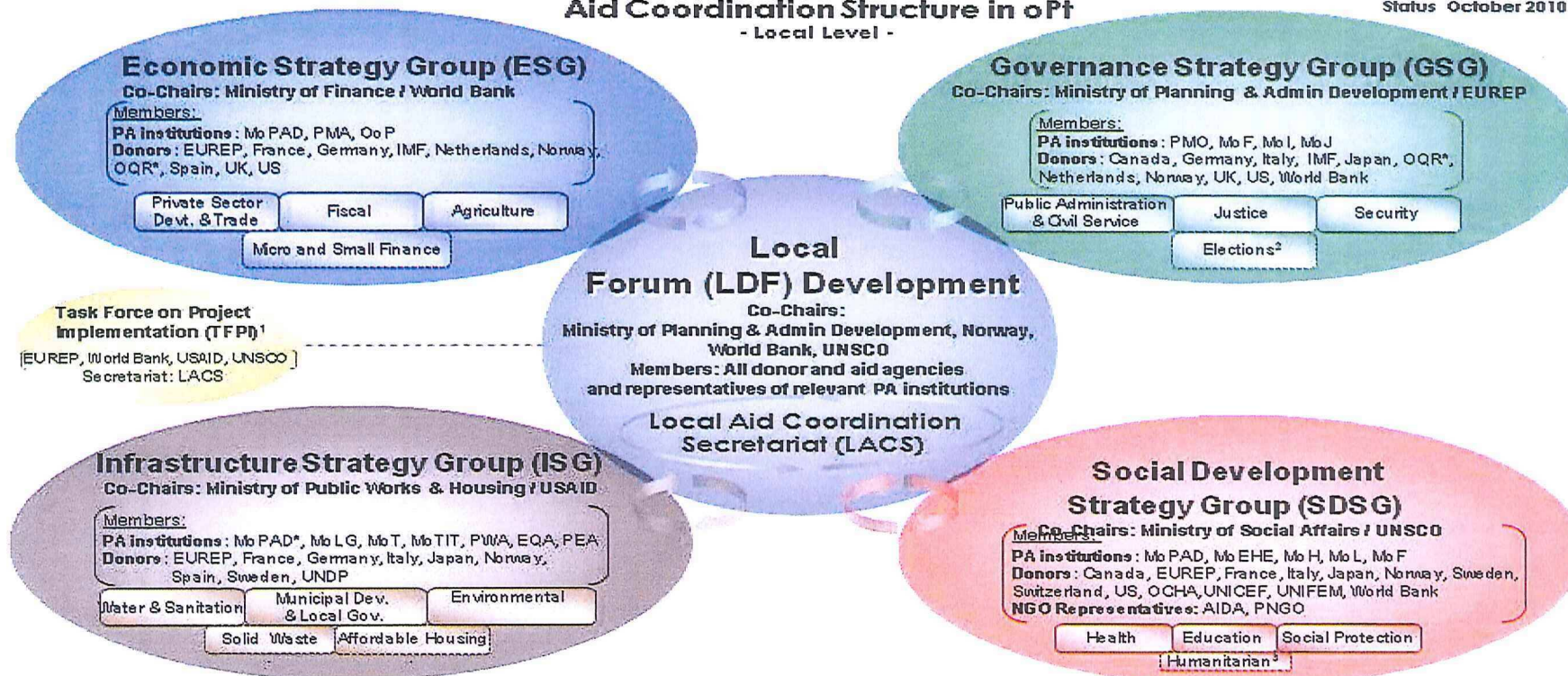
The EU and the Oslo Accords



The EU's role in the Palestinian State-building – Aid Co-ordination

Aid Coordination Structure in oPt - Local Level -

Status October 2010



Remarks:

* Observer status

1 TFPI chair rotates bi-annually amongst the members

2 Adapted sector coordination mechanism

3 The Humanitarian Task Force reports directly to the SDSG

Sector Working Groups (SWG)

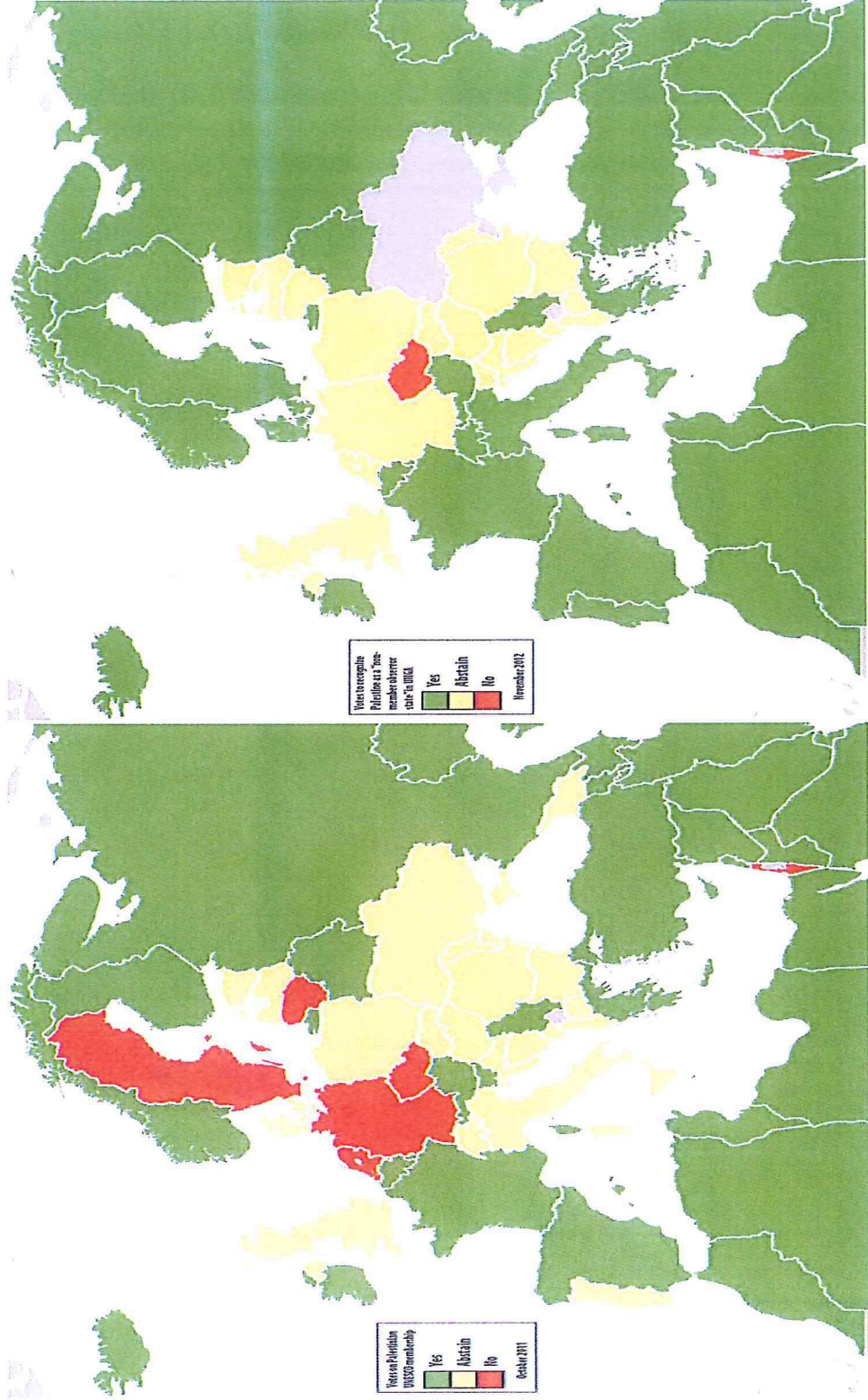
Thematic Groups, Task Forces

The Fayyad Plan – International Community Reactions

- “The PA is able to conduct the sound economic policies expected of a future well-functioning Palestinian state” (IMF 2011).
- “If the Palestinian Authority (PA) maintains its performance in institution-building and delivery of public services, it is well-positioned for the establishment of a state at any point in the near future” (World Bank 2011).
- “In six areas where the UN is most engaged, governmental functions are now sufficient for a functioning government of a state” (UN 2011).
- “Today Palestinian institutions compare favorably with those in established states” (Ashton 2011).

Palestinian UN bid for 'non-member state'

2012



EU member states' votes in the UN Human Rights Council for Commission of Inquiry on alleged war crimes in Gaza (July 2014)

22.07.2014
18:21:09

-21/L.1: Ensuring respect for international law in the PT, inc. East Jerusalem (as orally revised)

ALGERIA	Yes	FRANCE	Abst	PAKISTAN	Yes
ARGENTINA	Yes	GABON	Abst	PERU	Yes
AUSTRIA	Abst	GERMANY	Abst	PHILIPPINES	Yes
BENIN	Abst	INDIA	Yes	REP. OF KOREA	Abst
BOTSWANA	Abst	INDONESIA	Yes	ROMANIA	Abst
BRAZIL	Yes	IRELAND	Abst	RUSSIAN FEDERATION	Yes
BURKINA FASO	Abst	ITALY	Abst	SAUDI ARABIA	Yes
CHILE	Yes	JAPAN	Abst	SIERRA LEONE	Yes
CHINA	Yes	KAZAKHSTAN	Yes	SOUTH AFRICA	Yes
CONGO	Yes	KENYA	Yes	THE FORMER YUG. REP. OF MACEDONIA	Abst
COSTA RICA	Yes	KUWAIT	Yes	UNITED ARAB EMIRATES	Yes
COTE D'IVOIRE	Yes	MALDIVES	Yes	UNITED KINGDOM	Abst
CUBA	Yes	MEXICO	Yes	UNITED STATES OF AMERICA	No
CZECH REPUBLIC	Abst	MONTENEGRO	Abst	VENEZUELA	Yes
ESTONIA	Abst	MOROCCO	Yes	VIET NAM	Yes
ETHIOPIA	Yes	NAMIBIA	Yes		

Yes 29 Abstention 17 No 1



Guidelines and the Labelling Issue

- 2013 Guidelines: ‘only Israeli entities having their place of establishment within Israel’s pre-1967 borders will be considered eligible’ for EU funding.
- They cover most areas of co-operation between the EU and Israel but they do not cover trade-related issues.
- Labelling of products originating from Israeli settlements: Interpretative Notice November 2015 on indication of origin of goods from the territories occupied by Israel since June 1967.
- Delegitimizing the occupation and legitimizing Israel within 1967 borders.



The French Peace Initiative

- June 2016: French Peace Initiative
- Endorsed a two-state solution; based on deadlines and stages more robust than Oslo's vague timeline; and was anchored in international diplomacy with an implicit threat of a Security Council resolution (Bouris and Brown 2016).
- Although these were all steps in the right direction, they were neither bold nor new: all had been taken unsuccessfully many times before - the 2003 Road Map; the 2007 Annapolis Conference; and the Kerry Initiative of 2014 all dabbled with such measures.



HOMS Reports and Political Resistance

- European diplomatic representations still exist in Jerusalem targeting representation not in Israel but in Jerusalem, West Bank, Gaza and the Golan Heights.
- EU Delegation in East Jerusalem (Opened 1994 as a technical assistance office).
- HOMS Reports: Started in 2004 building on “Jerusalem Watch”
- 3 parts: Reliable data, political assessment and recommendations. Capitals started interfering in the process.

Political Resistance?

Federica Mogherini Retweeted



European External Ac... · 11/12/2017

"PM Netanyahu realised there is full EU unity: only realistic solution is based on two states, with #Jerusalem as capital. We want to continue to work with the Quartet with US, Russia and UN and to enlarge this forum" @FedericaMog



24.9K views

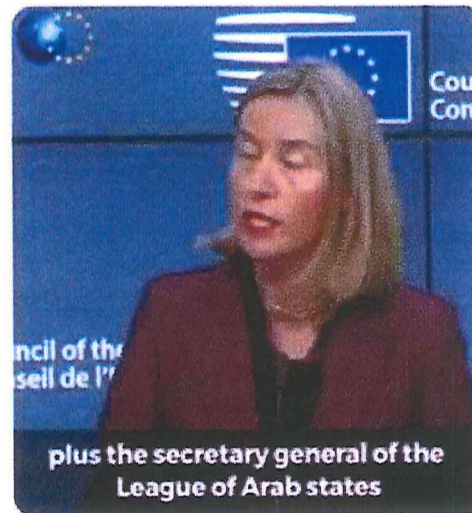
129 540 639

Tweets Tweets & replies Media Likes

Federica Mogherini Retweeted



European External A... · 26/02/2018
#MEPP "We see eye to eye between the EU and its member states and the League of Arab States and its member states on the need to preserve the horizon of two states [...] with Jerusalem as the capital of both the state of Israel and the state of Palestine" @FedericaMog



2,157 views

13 47 51

Federica Mogherini Retweeted



European External A... · 31/01/2018
"We need to maintain the political horizon for the two-state solution as we believe there's no alternative the would be both politically viable and sustainable and fulfill the legitimate aspirations of both parties"
@FedericaMog on #Israel #Palestine #AHLC

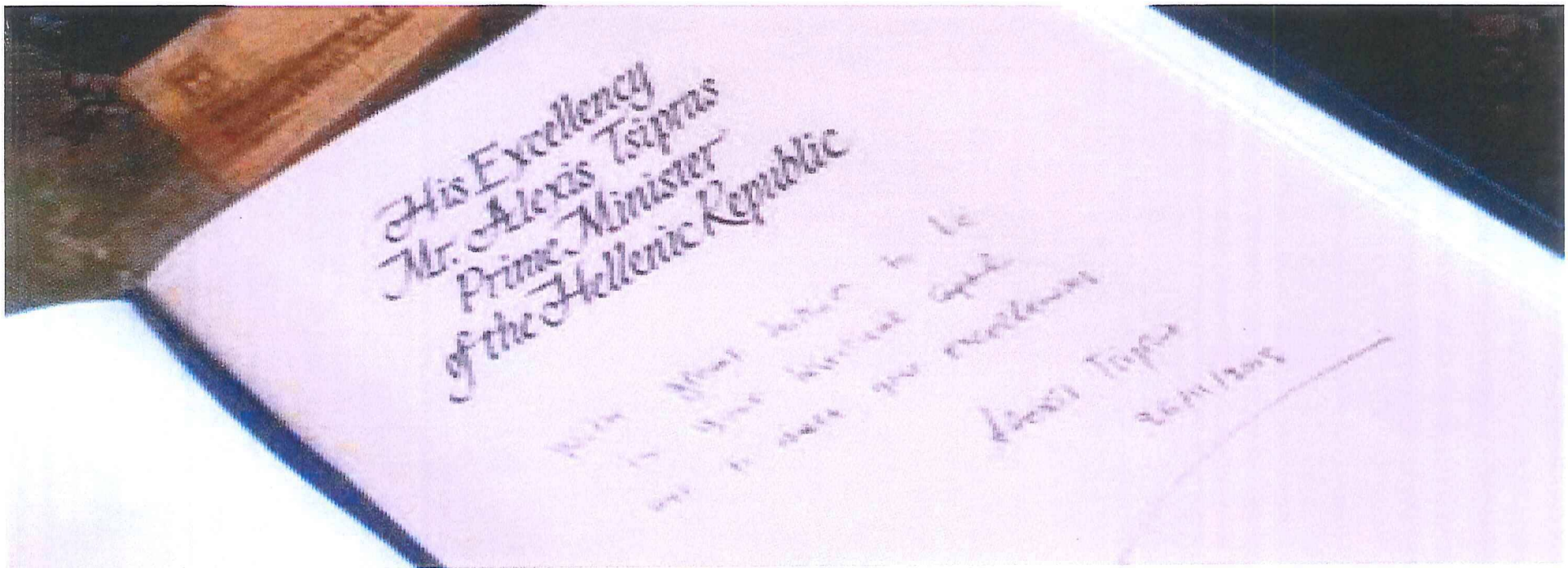


9,015 views

66 223 285

The Spoilers?

- September 2015: Greece abstains from the UN resolution on raising the flags of non-member observer states. This is the first time that a change in voting behavior is observed (except for the Goldstone report).
- Austria, Romania, Hungary and Czech Republic accepted invitation to attend the reception of the Israeli MFA in honour of the US Embassy move, the latter 3 blocked a common EU statement in May 2018.



The Spoilers?

General Assembly

General Assembly: 10th emergency special session (resumed)-38th plenary

Vote Name:

Item 5 Draft resolution A/ES-10/L.23
Protection of the Palestinian civilian population

Yes

120

No

8

Abstain

45

Vote Time: 6/13/2018 5:28:29 PM

Y AFGHANISTAN	DOMINICA	Y ICELAND	A SAN MARINO
A ALBANIA	A DOMINICAN REPUBLIC	A LITHUANIA	A SAO TOME AND PRINCIPE
Y ALGERIA	Y ECUADOR	Y LUXEMBOURG	Y SAUDI ARABIA
Y ANDORRA	Y EGYPT	Y MADAGASCAR	Y SENEGAL
Y ANGOLA	Y EL SALVADOR	A MALAWI	Y SERBIA
A ANTIQUA AND BARBUDA	Y EQUATORIAL GUINEA	Y MALAYSIA	Y SEYCHELLES
Y ARGENTINA	Y ERITREA	Y MALDIVES	Y SIERRA LEONE
Y ARMENIA	Y ESTONIA	Y MALI	A SINGAPORE
A AUSTRALIA	Y ETHIOPIA	Y MALTA	A SLOVAKIA
A AUSTRIA	A ETHIOPIA	N MARSHALL ISLANDS	Y SLOVENIA
Y AZERBAIJAN	A FIJI	Y MAURITANIA	N SOLOMON ISLANDS
Y BAHAMAS	Y FINLAND	Y MAURITIUS	Y SOMALIA
Y BAHRAIN	Y FRANCE	A MEXICO	Y SOUTH AFRICA
Y BANGLADESH	Y GABON	N MICRONESIA (FEDERATED STATES OF)	A SOUTH SUDAN
Y BARBADOS	Y GAMBIA	A MONACO	Y SPAIN
Y BELARUS	A GERMANY	A MONGOLIA	Y SRI LANKA
Y BELGIUM	Y GERMANY	Y MONTENEGRO	Y SUDAN
Y BELIZE	Y GREECE	Y MOROCCO	Y SURINAME
Y BENIN	Y GRENADA	Y MOZAMBIQUE	Y SWEDEN
Y BHUTAN	A GUATEMALA	Y MYANMAR	Y SWITZERLAND
Y BOLIVIA (PLURINATIONAL STATE OF)	Y GUINEA	Y NAMIBIA	Y SYRIAN ARAB REPUBLIC
Y BOSNIA AND HERZEGOVINA	Y GUINEA-BISSAU	Y NALDI	Y TAJIKISTAN
Y BOTSWANA	Y GUYANA	Y NEPAL	Y THAILAND
Y BRAZIL	A HAITI	A NETHERLANDS	A THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA
Y BRUNEI DARUSSALAM	A HONDURAS	Y NEW ZEALAND	Y TEMOR-LESTE
A BULGARIA	A HUNGARY	Y NICARAGUA	N TOGO
Y BURKINA FASO	Y ICELAND	Y NIGER	Y TONGA
Y BURUNDI	Y INDIA	Y NIGERIA	Y TRINIDAD AND TOBAGO
Y CABO VERDE	Y INDONESIA	Y NORWAY	Y TUNISIA
Y CAMBODIA	Y IRAN (ISLAMIC REPUBLIC OF)	Y OMAN	Y TURKEY
A CAMEROON	Y IRAQ	Y PAKISTAN	Y TURKMENISTAN
A CANADA	Y IRELAND	Y PALAU	A TUVALU
Y CENTRAL AFRICAN REPUBLIC	Y ISRAEL	A PANAMA	Y UGANDA
Y CHAD	A ITALY	A PAPUA NEW GUINEA	Y UKRAINE
Y CHECH	Y JAMAICA	A PARAGUAY	Y UNITED ARAB EMIRATES
Y CHINA	Y JAPAN	Y PERU	A UNITED KINGDOM
Y COLOMBIA	Y JORDAN	A PHILIPPINES	Y UNITED REPUBLIC OF TANZANIA
Y COMOROS	Y KAZAKHSTAN	A POLAND	N UNITED STATES
Y CONGO	Y KENYA	Y PORTUGAL	Y URUGUAY
Y COSTA RICA	Y KIRIBATI	A QATAR	Y UZBEKISTAN
Y COTE D'IVOIRE	Y KUWAIT	A REPUBLIC OF KOREA	A VANUATU
A CROATIA	Y KYRGYZSTAN	Y REPUBLIC OF MOLDOVA	Y VENEZUELA
Y CUBA	Y LAO PEOPLE'S DEMOCRATIC REPUBLIC	A ROMANIA	Y VIET NAM
A CYPRUS	A LATVIA	Y RUSSIAN FEDERATION	Y YEMEN
A CZECH REPUBLIC	Y LEBANON	Y RWANDA	Y ZAMBIA
Y DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA	Y LESOTHO	A SAINT KITTS AND NEVIS	Y ZIMBABWE
Y DEMOCRATIC REPUBLIC OF THE CONGO	A LIBERIA	A SAINT LUCIA	
A DENMARK	Y LIBYA	Y SAINT VINCENT AND THE GRENADINES	
Y DJIBOUTI		A SAMOA	



THANK YOU