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Delegation for relations with Palestine

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MISSION REPORT

following the Delegation mission to East Jerusalem, Ramallah, Bethlehem and Hebron on 24-27 February 2020

Delegation for relations with Palestine

Members of the mission:

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Introduction

Since the last official European Parliament mission: the situation continues to deteriorate

This official mission of the European Parliament Delegation for relations with Palestine (DPAL) to Palestine was the first of the ninth parliamentary term (2019-2024). It built on the conclusions and recommendations of the last mission, which was led by my predecessor Neoklis Sylikiotis and took place in September 2018. A key objective was to assess the changes that had occurred since the last mission, both on the ground and as regards the EU's policies towards Palestine and the issue of occupation.

Compared with the previous mission, while the structural parameters have remained the same, the situation has worsened, both on the ground and diplomatically.

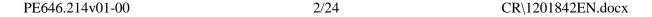
In January 2019, Prime Minister Netanyahu refused to renew the mandate of the Temporary International Presence in Hebron (TIPH), effectively expelling its team of observers from Norway, Denmark, Italy, Sweden, Switzerland and Turkey. The TIPH was established in 1994 in the aftermath of the Cave of the Patriarchs massacre. One of its main aims was, by its very presence, to engender a feeling of security for the Palestinians of Hebron, whose daily life and activities have been severely impeded by the Israeli settlers and the army. With the exception of a joint statement by the foreign ministers of the six contributing countries, which warned that the move violated the Oslo Accords, the unilateral Israeli decision elicited scant international reaction.

In November 2019, the USA reversed decades of official policy that deemed Israeli settlements illegal in line with the UN and the whole international community, by stating that it 'no longer viewed them as inconsistent with international law'. Other than restating the well-known tenets of international law through a set of rehashed and obsolete declarations, neither the EU nor any other major international player appeared to push back and take effective steps against the US support for Israeli occupation leading to annexation.

It is important to note that the situation on the ground and the state of diplomatic initiatives, or lack thereof, are closely interrelated. Indeed, the US change of policy and the absence of genuine counter-measures on the part of the international community had clear consequences on the ground. For instance, the construction of settlements in the West Bank is 25 % higher under the Trump administration than it was under the Obama presidency.

In contrast with the other EU institutions and EU Member State governments, the European Court of Justice (ECJ) took an important step in reaffirming the centrality of international law within the framework of EU law itself. In November 2019, it ruled that 'foodstuffs originating in the territories occupied by the State of Israel must bear the indication of their territory of origin, accompanied, where those foodstuffs come from an Israeli settlement within that territory, by the indication of that provenance'.

The publication by the UN Human Rights Office of a report on business activities related to settlements in the Occupied Palestinian Territory was another important development. Since it was issued on 12 February 2020, shortly after the announcement of the Trump plan, the timing of that long-delayed publication cannot but be interpreted as a reminder, by the UN, of the tenets of international law.



The DPAL mission was also the first to take place since the dissolution of the Palestinian Legislative Council (PLC) in December 2018 and the announcement that new elections would be held within six months. Unfortunately, this deadline had not been met by the time the mission took place. This delay can be attributed to Israel's refusal to allow voting to take place in East Jerusalem. The DPAL mission was therefore the first time since the first election of the PLC in 1996 that a European Parliament delegation was unable to meet its official counterparts. Although in practice the PLC had ceased to function since the 2007 Hamas-Fatah split, this matter further underlines the state of dereliction of the Palestinian institutions that set in after the Oslo Accords.

It should also be noted that in October 2019 the Israeli authorities once again held former PLC Member, Khalida Jarrar, in administrative detention. The case of Ms Jarrar, who has been imprisoned many times over the past few years, has always been followed closely by DPAL. Ms Jarrar was elected in 2006 as a member of the Popular Front for the Liberation of Palestine (PFLP), which was added to the so-called EU terrorist list by the Council in 2002. That decision, taken in the wake of 9/11, is contested by all Palestinian parties and considered unfair and unfounded by most human rights organisations. What is more, it has also been widely used by the Netanyahu government and pro-occupation forces in Israel to seek to equate Palestinian militancy with terrorism and smear international support for the Palestinian cause.

Obstacles set to the mission by the Israeli authorities

Our official mission encountered a series of obstacles set down by the Israeli authorities. Of varying degrees of seriousness, a brief account of these in chronological order follows below. It illustrates the very tangible difficulties stemming from occupation, which tend to be extended to any international delegation perceived as being supportive of the peaceful Palestinian struggle against it:

- 1) as during the past decade, Israel denied the delegation access to the Gaza Strip. As we stated publicly at the beginning of our mission, denying Members of the European Parliament access to Gaza has become systematic and is unacceptable;
- a political advisor who was serving as an official member of the mission was detained upon arrival at the Ben Gurion airport for six hours. An intervention by the EU Delegation in Tel Aviv and the Consul of his Member State who went to see him at the airport finally managed to convince the Israeli authorities to let him in;
- following our working dinner in East Jerusalem with a series of Israeli and Palestinian intellectuals and civil society representatives, Khalil Tafakji, a 70-year-old geographer who has systematically documented the expansion of the settlements over the past few decades, was arrested by the Israeli police and left incommunicado for 24 hours before being released; he was allegedly detained for his association with the Palestinian Authority, which Israel has banned from the occupied East Jerusalem;
- 4) upon departure from Ben Gurion airport, the Israeli customs authorities put pressure on me to sign a form whereby I 'was informed that, should I wish to enter Israel in the future, I was required to request in advance for permission from the (population and immigration) authority', and that I 'was aware that, if I did not act accordingly, my entry to Israel may be denied'. This extraordinary restriction obtained under pressure may hinder my future missions as Chair of the Delegation for relations with Palestine and, as such, should be challenged by the relevant EU missions and the diplomatic representations of the Member States.

The programme of the mission and the annexes to the report

Despite the deplorable state of affairs concerning the PLC and the plight of Ms Jarrar in particular, the mission programme was a rich and intense one. It included visits to East Jerusalem – notably the neighbourhood of Issawiya and the UNRWA-run Shu'afat refugee camp – Ramallah, Hebron, and the Cremisan Valley of Bethlehem.

The delegation was able to meet a wide range of interlocutors, including Prime Minister Mohammed Shtayyeh, PLO Secretary General and former Chief Negotiator Saeb Erekat, Chair of the Palestinian Central Elections Committee (CEC) Hanna Nasser, former Mayor of Bethlehem Vera Baboun, civil society representatives, human rights defenders, citizens and – notably – a delegation of the Popular Committees, comprising, among many others, the young Ahed Tamimi, who has become a symbol for the new generation of Palestinians (see full programme in the annex).

The delegation wishes to thank the Palestinian authorities for their warm welcome and intense discussions, and their representatives in Brussels for helping to facilitate our visit in advance. Our thanks also go to all the interlocutors and the civil society representatives who came to meet us. We sincerely thank Ambassador Sven Kühn von Burgsdorff, the EU Representative in Jerusalem, his team at the EU Representation press office, and the UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), who greatly facilitated our mission.

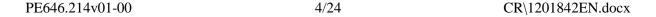
The COVID-19 pandemic did not affect our mission. However, upon return, we were informed that owing to an outbreak of cases in the region of Bethlehem, any visitors to that area should self-isolate. Fortunately, no one participating in our mission was infected. Unfortunately however, the DPAL meeting that was due to be held in order to exchange views and draw lessons from our mission had to be cancelled.

Last but not least, I would like to sincerely thank my colleagues Evin Incir, First Vice-Chair, Margrete Auken, Second Vice-Chair, Sylvie Brunet and Lefteris Nikolaou. Although this was our first mission together and we each belong to different political groups, we worked very well together and in a spirit of collaboration. This is clearly borne out by the fact that at the end of our mission we were able to agree on the terms of a very substantial statement, which, with the sole exception of Lefteris Nikolaou, was endorsed by the whole delegation.

As for this mission report, although it has benefited from the insights of my colleagues through our exchanges during the mission, it is presented under the sole responsibility of the Chair.

The following annexes must be considered an integral part of the report, in particular the two statements:

- I. Programme of the mission
- II. 'The Delegation of the European Parliament for relations with Palestine starts its official mission to Palestine today', statement of 25 February 2020
- III. 'European Parliament delegation supports the Palestinian call for saving a real two-state solution', statement of 27 February 2020
- IV. Press review shared by the EU Representation to the West Bank and Gaza



The immediate backdrop to the mission

The timing of our mission was particularly significant: ours was the first EU political visit to Palestine since the release of the US 'Peace to Prosperity' plan and the subsequent announcements by the Israeli Prime Minister of new settlements and future annexation. Our mission also took place amid renewed violence in and around Gaza and one week before the Israeli general elections of 2 March. It also happened to be the last foreign visit before the state of emergency was declared because of the COVID-19 pandemic.

Specifically, the following sequence of events should be borne in mind:

- On 28 January 2020, US President Donald Trump formally unveiled his peace plan in a White House press conference alongside Israeli Prime Minister Benjamin Netanyahu; Palestinian representatives were not consulted or even informed about the plan, nor were they invited to attend the event. Disregarding basic precepts of international law, UN resolutions, permanent status issues and key Palestinian red lines, including borders, the return of refugees and the status of Jerusalem, the plan immediately raised tensions on the ground.
- Shortly afterwards, the Israeli PM declared that, in accordance with the Trump plan, Israel would annex large swathes of the West Bank, including all Israeli settlements and the Jordan Valley. In so doing, he was only reiterating a pledge he had previously made during the September 2019 electoral campaign. He later specified that these annexations would happen after the general elections to the Knesset of 2 March 2020.
- Palestinian President Mahmoud Abbas threatened to call a halt to security collaboration with Israel if annexation or other unilateral steps went ahead. Palestinian anger over the Trump plan was widespread, and led to an uptick in violence in early February.
- In a statement issued on 4 February, the Vice President of the Commission / High Representative of the Union for Foreign Affairs (VP/HR) Josep Borrell rejected the plan, saying that it departed from the internationally agreed parameters for a two-state solution; he warned that the consequences of annexation would 'not pass unchallenged by the EU' and called for direct negotiations between the parties as the only way to settle the Israeli-Palestinian conflict. The VP/HR further developed his position during the European Parliament plenary debate on 11 February, but in practical terms the EU has failed to fill the vacuum of leadership left by the US with a *genuine* pursuit of peace in the Middle East.
- On 22 February, Israel announced the expansion of two settlements that cut off East Jerusalem from Bethlehem: Har Homa and Giv'at HaMatos. A few days later, precisely at the time of our mission, Israel announced another set of construction plans, this time for new settlement units in 'Area E1', located east of Jerusalem, which would break the connection between the Northern and Southern West Bank.
- Following each of these two announcements, the VP/HR issued a strong response and dismissed the plans as tools of illegal annexation, which would separate East Jerusalem from the rest of the West Bank.

In a transparent allusion to these same Israeli announcements, the UN Security Council (UNSC) unanimously – i.e. including the United States – called on all parties 'to refrain from undermining the viability of the two-state solution in order to maintain the prospects for a just, comprehensive and lasting peace'. The UNSC also reiterated its support for a negotiated two-state solution 'where two democratic states, Israel and Palestine, live side by side in peace within secure and recognised borders'.

That timing led to an interesting choreography between the statements of the VP/HR and those of our own delegation. Following the same lines as the VP/HR, our delegation explicitly supported his position, and implicitly deplored the fact that all 27 EU Member States did not follow his principled stance.

All these statements were widely reported in the local media and resonated well with all our Palestinian interlocutors.

Outrage at the US 'annexation' plan

In this very loaded and unique context, all discussions revolved around the Trump plan and its possible consequences. All our Palestinian interlocutors — officials and civil society representatives alike — were unequivocal about their total rejection of the plan. Some opined that 'this was not a US plan, nor even an Israeli plan, but rather a Likud-plan wrapped in the American flag'. Interestingly, as much as they decried the outrageousness of the plan, many told us that, despite its important political implications, it would not change much on the ground in practice because at the end of the day it was merely an attempt to put a 'legal varnish on facts on the ground'. Indeed, it seems clear to all Palestinians that, 53 years on since 1967, the occupation has transformed itself into a de facto annexation of Area C of the West Bank, with Palestinians concentrated in South African-style Bantustans. The support of successive US Governments and, most recently, the Trump administration serves only to further embolden the Israeli Government and accelerate the pace of settlement activities in East Jerusalem and throughout Area C.

Our interlocutor from the Palestinian Ministry of Foreign Affairs, Dr Amal Jadou, was very clear that Area E1 was the last precarious lifeline of the two-state solution: 'there is a need to stop the settlement of the E1 Area, otherwise this will sound the death knell of the possibility of a Palestinian State'.

Prime Minister Mohammed Shtayyeh insisted that the Trump plan eroded any possible agreement with Israel since it deferred all the issues left pending by Oslo to adjudication in the final status negotiations: 'Jerusalem, borders, refugees, settlements, even water aquifers, everything goes to Israel and Palestine is left with only "islands" in the West Bank!'. There could be no peace on such a biased basis. Furthermore, because of its intrinsic bias and departure from international law, the US plan could not form a basis to resume peace negotiations. As such, 'the Trump initiative should be declared dead by the EU and the international community'.

Saeb Erekat was adamant that 'Trump's was not a peace plan, but an annexation plan'. He issued a stern warning of the potentially dire consequences should the future Israeli Government go ahead with the annexation proclaimed by Prime Minister Netanyahu: 'the Palestinian people are already angry at the Palestinian Authority' for its inability to deliver on the promises of the Oslo Accords or even put a stop to the expansion of the settlements. The US-backed Israeli policy 'destroys us, the Palestinian moderate camp. The day they announce the annexations, we're out'.

A call to the EU to launch an international initiative

Saeb Erekat went on to implore the EU to issue Israel with a stark warning that there would be consequences for bilateral cooperation, agreements and trade if it were to go ahead with its annexation plans.

For his part, PM Shtayyeh reiterated the willingness of the Palestinian Authority to engage in serious negotiations on the basis of international law and UN Security Council resolutions. Surprisingly, neither the Prime Minister nor any other Palestinian interlocutor believed that the Israeli elections of 2 March would change anything in substance. They believed that meaningful bilateral negotiations with Israel could not resume because the policy differences between the main Israeli leaders vis-à-vis the occupation were minimal. 'Bilateralism had failed because of the asymmetry between Israel and the Palestinians'.

Hence the need for multilateralism. As the Prime Minister put it, 'the Trump initiative has demonstrated that there can be no solution with the US only. But there can be no solution without the US. There should therefore be an international conference, including the US', for which the EU should take the initiative: 'the EU needs to fill the vacuum'. The Palestinian Authority made a clear plea for the EU to relaunch the peace process, in conjunction with other international actors from the Quartet and with other key partners, notably from the Arab world.

A call for the recognition of the State of Palestine by the EU Member States

In the face of de facto annexation, the EU's immediate priority is to safeguard the basic parameters of the two-state solution.

As a first step towards upholding and reaffirming that possibility, the Prime Minister deemed it 'important that the EU Member States make the move to break the status quo and recognise Palestine as a State, within the 1967 borders and with East Jerusalem as its capital'. Our Palestinian interlocutors told us that this would be very important for them: although it would probably not change much on the ground, a wave of recognition from EU Member States would help push back against the Trump plan – which the Israeli Government pretends to impose as the new international standard – and rekindle hope amongst Palestinians.

The need for the EU to ensure that its own laws are upheld

All our Palestinian interlocutors insisted that the EU should also act effectively to be consistent with international law and its own legislation.

By way of example, the Prime Minister said that EU Member States should force any European companies that figure on the UN list of businesses linked to Israeli settlements to cease their illegal activities and pay compensation to the Palestinians. Xavier Abu Eid, from the Negotiations Affairs Department, called for a review of all agreements between the EU and Israel so as to ensure that there were no provisions benefiting any settlement-related activity. In this respect, he denounced the fact that Ahava, a major Israeli exporter operating in the occupied Palestinian territories ('plundering natural resources'), was a beneficiary of the EU Horizon 2020 programme for scientific research and development.

Our Palestinian interlocutors hailed the November 2019 ruling of the European Court of Justice (ECJ). The court ruled that products originating in the territories occupied by the State of Israel

must bear the indication of their territory of origin. Settlements are illegal under international law and are considered a war crime under the Rome Statute of the International Criminal Court. The implementation of the ECJ ruling should play a vital role in ensuring that European consumers at least have accurate information when making purchasing decisions.

UN Security Council resolution 2334 (2016) reaffirmed that the establishment of Israeli settlements in the occupied Palestinian territory has no legal validity and that Israel's settlements project is a flagrant violation of international law. The EU should therefore develop a consistent approach towards imports from occupied territories.

Specific pressures in East Jerusalem

Through its interaction with Israeli and Palestinian NGO representatives, the delegation was able to assess the growing pressure on the Palestinian residents of East Jerusalem. The case of the Issawiyya neighbourhood is a particularly dramatic one. The Israeli occupation police has conducted a large-scale campaign of harassment against its residents, restricting their freedom of movement, demolishing property and conducting incursions, leading to increased tensions and clashes. While population density and the lack of social services are a factor, so too is the strategic location of the neighbourhood: sandwiched between the Hebrew University of Jerusalem, Hadassah Hospital on Mount Scopus, and French Hill, and facing the strategic E1 Area, Issawiyya lies 'in the way' of the settlement connection between East Jerusalem and the large settlement complex of Ma'ale Adumim. One meeting at Issawiyya community centre, when residents, notably women and children, described the police brutality they had faced, was particularly moving and shocking: a boy and an elderly woman had each lost an eye. Once again, there seems to be a clear correlation between the US support for Israeli claims to East Jerusalem and the growing pressure for the forced displacement of Palestinians, including the disproportionate use of force by the Israeli occupation police.

The case of Issawiyya illustrates the crucial importance of the EU's East Jerusalem programme, which aims to strengthen the resilience of the Palestinian population and the Palestinian character of the city. It is also essential that the situation be closely monitored by the EU Representation and the other EU diplomatic missions.

From Hebron to Bethlehem: different facets of the occupation

Our visit to Hebron was particularly striking in showing us the extent of the oppression and legal discrimination that Palestinians face in the presence of the Israeli settlers occupying the heart of the old city of Hebron. Already very difficult, the life of Palestinians in central Hebron ('H2') has worsened since the Temporary International Presence in Hebron (TIPH) left one year ago. The number of incidents of settlers' violence is increasing. In December 2019, shortly after the US announced that it no longer considered settlements illegal, the Israeli administration announced plans to build a new settlement in the old market area. The sense of despondency and despair is palpable amongst the Palestinian residents of central Hebron, whose social and economic lives have been wrecked by the massive presence of the Israeli army and the daily provocations of settlers.

The case of Hebron offers an example of the pressures to which the Palestinians are being subjected by the occupation every day or, rather, by the de facto annexation policy. However, while the impact on their daily lives may vary, this is in fact indicative of a general pattern throughout all the occupied Palestinian territories: all our interlocutors – Palestinian officials,

CSO representatives and human rights defenders – expressed profound concerns about the increasing human rights breaches (restrictions on movement, access to basic services and water, etc.) and the ramping up of violence by the Israeli army and by the settlers, which have made the lives of many Palestinians unbearable and lead to forcible displacement.

Led by Vera Baboun, the former Mayor of Bethlehem, the visit to the Cremisan Valley illustrated the impact of the so-called Separation Wall. Declared illegal by the International Court of Justice (ICJ) in 2004, the wall is being used by Israel to forcefully annex land from Palestinians, as it is built deep inside the West Bank. The residents of the Valley, including the Cremisan Monastery, which produces a wine of some repute, run the risk of being separated from Bethlehem – the municipality to which they belong – by what Ms Baboun terms the 'Annexation Wall'. The Mayor is resisting this de facto annexation policy with all the political and legal means at her disposal. However, she is concerned that if the international community does not resolutely oppose the US-backed Israeli policy, relentless Israeli pressure and the Palestinian dispossession will continue unabated.

Throughout Area C in the West Bank, Israel has sped up the demolitions of Palestinian structures. At least 97 structures were destroyed or seized in 2019, a sharp increase from the previous year. A number of these had been built with the support of EU or Member State funding.

Reaching far and beyond: the case of Gaza

The Israeli authorities once again refused a request by the delegation to enter Gaza. The purpose of the visit was to monitor the humanitarian situation in the light of an illegal blockade that has lasted more than a decade. The delegation wished to assess the destruction following subsequent Israeli attacks, evaluate reconstruction efforts and visit a number of development projects funded by the EU. Israel has repeatedly denied the delegation access to the Strip since 2011.

We were nonetheless able to get a sense of the situation through a round-table discussion with international and Palestinian experts. With unemployment rife and poverty severe on account of Gaza's inability to import or export goods and services, and a total ban on travel, Palestinians in Gaza rely on international aid for their survival. Because of Israel's total blockade and several years of conflict, Gazans have insufficient access to basic necessities such as drinking water, food, housing, schooling and healthcare.

According to the United Nations Office for the Coordination of Humanitarian Affairs (OCHA), 1.3 million of the 1.88 million residents in Gaza are in need of humanitarian assistance. More than 18 000 homes were destroyed or severely damaged during the 2014 conflict, leaving 100 000 displaced. Around 20 000 people remain displaced to this day.

We were told that the EU supported the building of desalination plants, including one major facility sponsored by the Union for the Mediterranean announced back in 2011, but we also understand that these projects are either not being realised or, if and when they have been, are doing little to meet people's actual needs. This is mainly due to Israel's almost complete control over Gaza (land, air and sea) and the main border crossings for trade and the import of materials. Underground aquifers have already fallen to such low levels that they may never be able to recover.

Following our mission, reports emerged of how the COVID-19 pandemic could have particularly disastrous effects in Gaza because of the population density and lack of health and sanitation infrastructure.

The dangers of despair and the need to rekindle hope for peace

Throughout our mission, we witnessed a mixture of brave, peaceful resistance on the one hand, as exemplified by the Popular Committees and the iconic figure of Ahed Tamimi, and of hopelessness verging on despair on the other. Although the Palestinians we met will never give up on their rights, many are dispirited and have lost faith in the prospect of a two-state solution: 'you, Europeans, have pressured us to accept it ever since the 1980 Venice Declaration, but now do not take any concrete action against the systematic efforts made by Israel to make it impossible for it to happen'. The Palestinian institutions stemming from the Oslo Accords are not so much contested or opposed as they are considered extremely weak by a majority of the population: 'At best, they can be considered as useful as a municipality can be, since it is in charge of the provision of basic amenities such as water, electricity or garbage collection'.

As a consequence, the Palestinian Authority is seen as powerless. Meanwhile, if no action is taken against the Trump plan on the international stage, it will only accelerate and deepen the dangerous sense of abandonment, despondency and despair, and may even bring about the collapse of the Palestinian institutions.

It is incumbent on the international community in general and on the EU in particular, which has committed itself to supporting Palestinian state-building efforts, to help rekindle the hope of the Palestinian people and give them the sense that there is a light at the end of the tunnel.

The essential role of UNRWA

Our visit to the Sufa'at refugee camp was particularly instructive in showing us the role of demographic engineering brought about by the Separation Wall. While this densely populated camp is located within the boundaries of East Jerusalem, and thus on land that Israel has annexed and considers part of its territory, it is in fact on the 'other' side of the Wall. Israel has abandoned its residents and is refusing to provide them with basic services, despite their being under the jurisdiction of the Israeli-controlled Jerusalem Municipality.

That visit demonstrated to us the essential role played by the UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) in providing quality education, health services and basic assistance. The US decision to stop funding it constitutes a serious threat to the well-being of the Palestinian refugees and their environment.

In the meeting with UNRWA representatives, also the issue of Palestinian Authority textbooks was raised. The Agency uses these textbooks in line with the general humanitarian assistance practice of using the official textbooks of the country/territory concerned. Regarding the problematic pages, UNRWA provides alternative teaching materials to its teachers, who not only teach them in class but also explain to students the difference and why they are doing so. UNRWA also gives feedback and advice to the Palestinian Ministry of Education for the next generation of textbooks, and significant progress has been achieved in these talks. In parallel, responding to concerns voiced in the European Parliament, the European Commission (DG NEAR) has contracted the Georg Eckert Institute for

International Textbook Research (Braunschweig, Germany) to look into this matter. The Institute should present its findings by the end of the year.

In view of the above, the European Parliament must also act to push back against some amendments that are regularly being tabled in its Budget and Budgetary Control Committees which could seriously jeopardise EU funding for UNRWA and the Palestinian Authority. These activities are part of an unceasing guerrilla war being waged by pro-occupation lobbies which, despite all the evidence in international reports, continue to launch defamatory accusations.

The need to ensure alignment between the EU's policy and its cooperation activities

Beyond policy statements, it is important to assess how effective the EU is in mobilising its cooperation assistance in favour of the two-state solution, particularly as far as its targeted support for the state-building capacities of the Palestinian Authority are concerned.

In our interactions with the Palestinian NGOs, we heard many complaints at the European Commission's decision to enforce a rule prohibiting any NGO in receipt of EU subsidies from working with organisations on the EU sanctions list. In practice, this prohibits any link with Hamas and the PFLP, both of which are very active in the social NGO sector. This makes it almost impossible to work in Hamas-controlled Gaza, which is patently at odds with the EU's stated policy of engaging in humanitarian and cooperation assistance with Palestinians in Gaza and, in violation of humanitarian principles, unfairly politicises the delivery of aid.

Now more than ever, at a time when the pressure of occupation is rising, and when the Palestinian institutions have never been so weak and the democratic deficit so severe, the EU needs to support Palestinian civil society, above all women's organisations and human rights defenders, and help to facilitate their activities rather than complicating them.

A severe legitimacy deficit and the urgent need to hold the Palestinian elections

The holding of Palestinian presidential and legislative elections has been long overdue, since 2005 and 2006 respectively. Our interlocutors from the Palestinian Authority are acutely aware of the severe democratic and legitimacy deficit that this causes, especially since the official dissolution of the Palestinian Legislative Council (PLC).

Hanna Nasser, the Chair of the Palestinian Central Elections Committee (CEC), assured us that all political parties, both in Hamas-controlled Gaza and in the Fatah-controlled West Bank, have pledged to abide by the ground rules on the holding of elections set by the independent CEC ('The proof that I'm independent is that they all criticise me!').

Mr Nasser stated that everything was now ready for the elections. The only remaining obstacle was the question of East Jerusalem. While in 2006 Israel had bowed to international pressure and accepted that Palestinian residents could vote in post offices ('an unpleasant but workable compromise'), the current Israeli Government was now refusing any kind of vote in East Jerusalem. The CEC Chair hoped that the EU, which strongly supported the electoral process, including through grants to the CEC and civil society organisations, would lean on Israel to honour its Oslo pledge.

He also hoped that the EU would review its position vis-à-vis Hamas. It was inconsistent for the EU to call for intra-Palestinian reconciliation and the electoral participation of Hamas, as a

major Palestinian party, while at the same time keeping Hamas on its sanctions list and refusing all contact with it. The same logic applied to the PFLP. Mr Nasser wondered what the EU would do if any of these parties were to win the elections and/or form part of a government of national unity, which the EU supports.

The EU's respect for international law

The EU has published strong statements against settlements, restrictions related to the Gaza blockade, and US policy announcements that run counter to the two-state solution. In addition, the EU has committed to implementing a policy of differentiation between Israel and its illegal settlements. Given the limited impact on Israel's actual actions such as the continued construction of settlements, the forced displacement of Palestinian communities and threats of annexation, an assessment should be made about the effectiveness of this differentiation policy and how successfully it has been implemented, with a view to enhancing this approach with other instruments of pressure.

Conclusions

Having read the mission report of my predecessor, Neoklis Sylikiotis, I cannot but be struck by the fact that while the parameters of occupation have stayed the same, they have led ineluctably to a deterioration of the situation, with the Palestinians being pushed relentlessly, it would seem, down the path of never-ending occupation and settlement expansion. The EU's approach towards Israel's continued impunity, which centres on issuing statements of rebuke, has, in spite of its lack of efficacy, remained largely unaltered during this period.

The only novel factor is the acceleration of this negative trend owing to the US staunch support for the Israeli policy of annexation. As could be witnessed from the fast-paced sequence of events that took place immediately before and during our mission, the launch of the Trump 'peace' plan drastically accelerates this trend, which runs counter to the quest for just and lasting peace based on a two-state solution.

In the face of what appears, in the eyes of the Palestinians, to be the inexorable pursuit by Israel of the colonisation of their land, declarations by the EU and the rest of the international community are, while necessary, insufficient. When they are not backed by concrete action, they appear utterly hollow.

Worse still, our Palestinian interlocutors perceive the EU as being ready and willing to pursue and deepen its cooperation with Israel in a wide range of domains, starting with trade, in a way that is totally cut off from the occupation policy and Israel's behaviour towards the Palestinians. The EU is criticised by the Palestinians for being inconsistent in its bilateral relationship with Israel, as it pays no heed to the fact that Israel is pursuing a policy which systematically disregards international law and the official EU objective of a two-state solution.

EU leaders like to repeat the mantra that 'the EU should not only be a payer but a player too', but they take no action to that end. As much as they appreciate its cooperation on daily issues, the Palestinians are deeply resentful of the EU's passivity on the policy and diplomatic fronts. However, despite years of inaction, they have not given up and still retain the hope that the EU will at long last act in accordance with its stated principles. Hence why the statement issued by VP/HR Borrell on 4 February warning Israel that 'steps towards annexation, if implemented, could not pass unchallenged' has had such a positive impact on all Palestinians. All our

interlocutors want to believe that the EU, which is considered the only major international player capable of counter-balancing the USA, will finally be able to take effective steps to push back against Israel's methodical policy of colonisation.

Our mission has witnessed at first-hand how Israel's disregard for international law, notably through the pursuit of its settlement construction and all their related activities, constitutes the main obstacle to peace between Israel and Palestine. In order to support peace and further its own interests of regional and international stability, the EU must act decisively in order to ensure that international law and its own legislation is adhered to. In this regard, the November 2019 ECJ ruling on the labelling of Israeli settlement products is of the utmost significance. This ruling should pave the way for the EU to undertake a systematic review into the enforcement of its own laws and the consistency of its overall policy towards all occupied territories, namely by issuing specific warnings to EU-domiciled companies to end their activities in support of Israel's settlements enterprise and introducing a ban on the import to the EU single market of products from illegal settlements.

Requests and recommendations

Building on the statement, which we issued at the end of our mission to 'support the Palestinian call for saving a real two-state solution', I wish, as Chair of the Delegation for relations with Palestine, to make the following set of requests and recommendations to the EU institutions and the Member States:

- 1) The EEAS should mobilise its diplomatic undertakings in order to secure the release of former Palestinian legislator Khalida Jarrar and of all Palestinian citizens placed under administrative detention, including children, without formal charges.
- 2) The EEAS should seek assurances from the Israeli authorities that they will set no obstacles before the conduct of our official missions in the future. Access to Gaza, which other official delegations from EU national parliaments are also denied, is of particular importance; in this respect, the EU and its Member States should lodge collective complaints to demand unhindered access to the Gaza Strip for all their official missions. The President of the European Parliament should also lodge a complaint with the Israeli mission to the EU and the VP/HR on this issue. There is a precedent of the European Parliament restricting access badges to diplomatic representatives of a third country when MEPs were refused entry into its territory; this option must therefore be applied to Israeli diplomats.
- 3) In order to push back against the US plan, the EU and its Member States must mobilise all their diplomatic resources to safeguard the possibility of a real two-state solution. In particular, all EU Member States that have not yet done so should recognise the State of Palestine with Jerusalem as its capital. Together, the EU and its Member States must cease to overlook the occupation in their bilateral relations with Israel. The EU and Member States should step up their support for Palestinian infrastructure and programmes for the purposes of halting the demographic engineering processes, notably in East Jerusalem.
- 4) Working with Norway, Switzerland, Turkey and other international partners, the EU and its Member States should mobilise their diplomatic resources to secure the redeployment of the Temporary International Presence in Hebron (TIPH).

- 5) The EU should increase its support for UNRWA and redouble its efforts to convince other countries, notably in the Gulf, to honour their pledges and step up their commitments to meet the needs.
- 6) The EEAS and the European Commission must develop monitoring tools and enforcement tools in order to ensure that the November 2019 ruling of the European Court of Justice on the labelling of Israeli settlement products is implemented effectively and fully in all EU Member States. They are invited to present to the European Parliament a yearly report on the state of the implementation of the ruling. They must also review their global policy towards the import of products from the Israeli settlements in Palestine, with a view to instituting a ban and in view of the consequences of the occupation on overall trade with Israel, given that the current Association Agreement, on which the policy is based, is incompatible with the human rights situation created by the occupation.
- 7) The European Commission is invited to review all its agreements, programmes and activities in order ensure that the EU abides by its own laws and strictly enforces the differentiation policy between the territory of the State of Israel and its illegal settlements. The EU Member States must implement EU law in this regard, while the Commission, as guardian of the Treaties, must ensure that EU law is duly respected. The EU must also ensure that none of its programmes, including Twinning, Erasmus + and Horizon 2020, is developed in illegal Israeli settlements in Palestine or contributing to the occupation in any way, such as via the development of military technology.
- 8) In addition to the patent need to ensure that none of its products benefits from its preferential trade agreement with Israel, it now behoves the EU, in the light of the Trump plan, to ensure that it is under no circumstances an accomplice of illegal settlement activities. Concrete measures should be taken by the Commission and the Member States to prevent European companies from engaging in these unlawful activities. The EU should support the regular updating of the UN database linked to Israeli settlements and the EU delegation should monitor the human rights compliance of EU-based companies involved in settlement activities.
- 9) The Commission is invited to order an independent impact assessment of the EU's overall assistance and verify the extent to which it is effectively aligned with the EU's policy goal of supporting the state-building capacities of the Palestinian institutions.
- 10) The Commission is invited to step up its support for Palestinian civil society, in particular women's organisations and human rights defenders, and help to facilitate their activities, notably by removing the provision relating to the political affiliations of people involved in EU-funded projects, and is invited to refrain from further politicising humanitarian and development aid.
- 11) The EEAS and the Commission are invited to present a report to the European Parliament and the Council wherein they should consider and assess the extent to which the policy conducted by Israel towards the individual and collective rights of Palestinians living under occupation is consistent with Article 2 of the EU-Israel Association Agreement.
- 12) The EEAS should lean on Israel so that the Palestinians can exercise their right to hold elections in East Jerusalem. In parallel, the VP/HR should initiate a debate with the Foreign Affairs Council and the European Parliament in order to clarify the EU's position

- vis-à-vis the prospect of the participation of Hamas and the PFLP, two significant Palestinian political parties, in intra-Palestinian reconciliation and future elections. The EU should seek to regain some of the political consistency it has lost since 2006 and commit itself to respecting the free will of the Palestinian people.
- 13) The EU needs to support actively the holding of the Palestinian presidential and legislative elections, notably by continuing to offer technical assistance and by deploying an EU election observation mission once the dates have been confirmed.
- 14) With regard to the accountability of the Palestinian Authority, the EU should remain watchful to ensure good governance, transparency and respect for human rights. To that end, in the absence of institutional checks and balances, Palestinian civil society has a crucial role to play. The Commission should step up its support for Palestinian civil society organisations and human rights defenders and eliminate funding obstacles.
- 15) In the context of the COVID-19 pandemic, the EU must exercise pressure on Israeli authorities to meet their international obligations under the Geneva Convention and ensure that all Palestinians may avail themselves of their right to health. This means that the blockade in the Gaza Strip must end immediately. We also urge the EU to respond to UNRWA's call for further funding to aid its response to the pandemic.
- The occupying authorities are demolishing an increasing number of infrastructure funded by the European Union and Member States. Last year, structures worth more than EUR 480 000 in EU taxpayers' money were destroyed. The EU institutions, including the VP/HR, must be more vocal in condemning these illegal moves and demand economic compensation for the destroyed property commensurate with its value.

Annexes

- I. Programme of the mission
- II. Press statement of 25 February 2020: 'The Delegation of the European Parliament for relations with Palestine starts its official mission to Palestine today'
- III. Press statement of 27 February 2020: 'European Parliament delegation supports the Palestinian call for saving a real two-state solution'
- IV. Press clipping on the delegation, shared by the EU Representation to the West Bank and Gaza

European Parliament





DELEGATION FOR RELATIONS WITH PALESTINE

FINAL PROGRAMME

Monday 24 February 2020

Individua	l arrivals to	East Jerusa	lem
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Tuesday 25 February 2020

8.30 – 9.15	Briefing by EU Representative Sven Kühn von Burgsdorff (West Bank and Gaza)
9:30- 11:00	Briefing on Hebron and on the general settlements' situation by the UN Office for the Coordination of Humanitarian Affairs (OCHA)
11.15 -14.00	Hebron - visit of the "H2" zone of downtown Hebron and meeting with human rights defenders
15.00–16.30	Overview of Cremisan Valley and settlements expansion in the Western Bethlehem Area
19.00	Working dinner with Israeli and Palestinian civil society representatives monitoring the occupation

Wednesday 26 February 2020

09.15-10.30	Negotiations Affairs Department - Meeting with Saeb Erekat
11.00-11.45	Ministry of Foreign Affairs - Meeting with Dr. Amal Jadou, Assistant Minister on European Affairs,
12.00-12.45	Meeting with Prime Minister Mohammad Shtayyeh
14.00-15.00	Central Elections Commission - Meeting with Chairman Hanna Nasser and Chief Electoral Officer Hisham Kuhail
15.30-17.00	Exchange with the Popular Committees on the separation wall and the settlements
17.45-18.30	Meeting with Majdi Khaldi, Senior Diplomatic Adviser of President Mahmoud Abbas
19.00	Working dinner with civil society representatives on Human Rights

Thursday 27 February 2020

8.30-9.30	Meeting with the EU Heads of Mission
10.00-11.30	Visit of the Shu'fat Refugee Camp with the UN Relief and Works Agency for Palestine Refugees in the Near East (UNWRA)
11.30-12.00	Presentation of the EU East Jerusalem programme
12.00-13.30	Issawiya Visit and exchange of views with inhabitants at the Community Centre
13.00-13.30	Press point
14.30-16.30	Meeting on the situation in Gaza with the UN Special Coordinator for Middle East Peace Process and think-tank representatives
16.30-17.30	Debriefing with Ambassador Kühn von Burgsdorff and his colleagues from the EU Representation

Friday 28 February 2020

Individual departures

Press statement

Delegation for relations with Palestine 25-02-2020



Delegation MEPs starts its meeting with Palestinian political leaders, human-right defenders and NGOs in the Occupied Palestinian Territories

Hebron, 25/02/2020

The Delegation for Relations with Palestine has started today its visit to the Occupied Palestinian Territories that will extend from 24 to 28 February.

The Delegation will visit Hebron, Ramallah and Jerusalem, including East Jerusalem. The delegation is once again banned entry into Gaza by the Israeli authorities, who have repeatedly blocked the European Parliament to enter since 2011. Instead, it is planned a videoconference and discussion on the situation in Gaza with the United Nations Special Coordinator for the Middle East Peace Process (UNSCO).

MEPs state, "It is unacceptable. The Israeli authorities should not limit the actions and movements of the European Parliament in carrying out its duty to liaise with its counterparts." delegation MEPs says.

The delegation will meet with Palestinian President Mahmoud Abbas, Prime Minister Mohammad Shtayyeh, Minister of Foreign Affairs Riyad Al Malki and former chief negotiator Saeb Erekat from the dismantled Palestinian Legislative Council (PLC).

"The European Parliament is committed to promote greater Palestinian control, autonomy and capacity to exercise responsibility to prepare for future statehood, as stated in its <u>resolution of 17 December 2014 on recognition of Palestine statehood.</u> The European Union has a long-standing commitment to the vision of an independent and sovereign state of Palestine, living side by side with Israel in peace and security," Delegation MEPs affirm.

Delegations MEPs will discuss with members of the Palestinian Central Elections Commission (CEC) and the Palestinian Independent Commission for Human Rights about the prospect of next Palestinian elections.

"The support of the European Parliament for presidential and legislative elections in the West Bank, Gaza and East Jerusalem which give a voice to Palestinians and renew the legitimacy of institutions. The European Parliament welcomes especially that both Fatah and Hamas support the idea of elections. Reconciliation between different Palestinian factions will lend more credibility and increase the bargaining position of Palestinians internationally," MEPs declare.

The Delegation is meeting with human right defenders, civil society and women organisations to assess human rights situation in Palestine. "Palestinian population in the West Bank and Gaza is facing daily human rights violations and it is crucial to provide support to the civil society organisations in its work and to ensure freedom of expression and assembly. The European Parliament is committed to continue supporting the capacity building of Palestinian civil society" chair of the Delegation Manu Pineda states.

The MEPs will visit to UNRWA-run Shuafat Camp to assess the situation of the Palestinian refugees. "The EU is the largest donor of financial assistance to the Palestinians, particularly of the UNRWA after the U.S. withdrew funding to the UN agency. The sustainability of UNRWA remains a major concern for the European Parliament, as reflected in the 2018 EP Resolution on the situation of UNRWA and by EP support to provide the Agency with predictable funding in the annual EU budgets," MEPs asserts.

The Delegation for relations with Palestine is led by Chair Manu Pineda (GUE/NGL, Spain) and is composed of other four Members: Evin Incir (1st Vice-Chair of Delegation, S&D, Sweden), Margrete Auken (2nd Vice-Chair of Delegation, Greens, Denmark), Sylvie Brunet (RENEW, France) and Lefteris Nikolaou (NI, Greece).

Press statement



Delegation for relations with Palestine 27-02-2020

European Parliament delegation supports the Palestinian call for saving a real two-state solution

Led by Manuel Pineda (GUE/NGL, Spain), Chair of the Delegation for relations with Palestine, a delegation of the European Parliament (EP) has concluded today its official visit to Palestine. This mission took place in a crucial moment against the background of the recently released US plan for the Middle East, Israeli announcements of new settlements, and renewed violence. Members visited East Jerusalem, Ramallah, Bethlehem, Hebron, and the Shu'afat refugee camp, and met with Prime Minister Mohammad Shtayyeh, PLO Secretary General and former chief negotiator Saeb Erakat, Chief Diplomatic Adviser to the President Majdi Khaldi, as well as the Chair of the Palestinian Central Elections Committee and a broad spectrum of Palestinian civil society representatives and citizens.

The Delegation was again denied access to the Gaza Strip by the Israeli authorities, although the purpose of the visit was to monitor the humanitarian situation caused by the more than decade-long blockade. Denying access to Gaza to Members of the European Parliament has become systematic and is unacceptable.

Members share the views of their Palestinian interlocutors that the US plan cannot be a basis for resumed peace negotiations, as it contradics international law and relevant UN Security Council (UNSC) resolutions. They express their support to the principled statement made by High Representative/Vice President (HR/VP) Josep Borrell about that plan. The time has come for the EU to present its own initiative in coordination with other international actors.

The delegation welcomes the readiness reiterated by Palestinian leaders to engage in meaningful peace talks which are in line with international law and internationally agreed parameters in a multilateral framework.

The two-state solution - on the 1967 borders with the State of Israel and the viable and contiguous State of Palestine living side by side in peace, security and mutual recognition - remains the only way to peace.

The EU's immediate priority must be to safeguard the basic parameters of the two-state solution. To that end, the delegation urges all EU Member States that have not yet done so to recognise the State of Palestine.

The delegation also calls for the recent ruling by the European Court of Justice on the labelling of Israeli settlement products to be fully and effectively implemented in all EU Member States. The policy of differentiation between the territory of the state of Israel and the occupied Palestinian territories in the EU's bilateral relations, including trade, with both sides, is a legal and political obligation. No settlement-related activity and no organisation involved in such activities should benefit from any EU programme, including Horizon 2020. The delegation calls on the European Commission to monitor and strictly enforce this legal obligation.

In East Jerusalem, Hebron, Bethlehem and other parts of the occupied territories, the delegation could witness the devastating effects of Israeli settlements on the daily life of the local Palestinian population, and on the prospect of the two-State solution. Members strongly oppose the recent announcements of illegal buildings in Givat Hamatos, Har Homa, and the critical E1 zone, which all tend to isolate East Jerusalem from the rest of the West Bank.

The delegation has learned with deep concern about increasing settler violence in Hebron since the Temporary International Presence in Hebron (TIPH) left one year ago, and calls for the reestablishment of this important mechanism to protect Palestinian citizens. They also call for an immediate end to house demolitions and forcible transfers of Palestinian families in the West Bank, including in East Jerusalem, and urge the EU to demand compensation for EU-funded projects destroyed by Israel.

The delegation witnessed the further growing pressure on Palestinian residents in East Jerusalem, and welcome the EU's East Jerusalem programme aimed at strengthening the resilience of the Palestinian population and the Palestinian character of the city. Members reiterate that the EU will not recognise any changes to the 1967 borders, including with regard to Jerusalem, other than those agreed by the parties.

During its visit to the Shu'afat refugee camp, the delegation could also witness first-hand the vital work conducted by the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) in providing quality education, health services and basic assistance to local residents. Members call on the EU to increase its support to the UN agency and redouble its efforts to convince other international partners, notably in the Arab world, to live up to their commitments of support.

The delegation supports the efforts aimed at holding elections in Palestine, which are long overdue, and welcomes the agreement among Palestinian political parties in this regard. It urges HR/VP Borrell to support the Palestinian demand to exercise their right to hold these elections also in East Jerusalem.

Members also welcome the support offered by the EU in this field, including through election observation. Chair Pineda stated: "It is essential to give a voice to all Palestinian citizens, including in East Jerusalem, and renew the legitimacy of Palestinian institutions, which the EU continues to support politically and financially".

Throughout its visit, the delegation held fruitful discussions with a wide range of Palestinian civil society representatives, in particular women's organisations and human rights defenders, as well as Israeli civil society representatives fighting occupation. At the end of their mission, Members wish to thank them all for their hospitality and express their support for their peaceful resistance and struggle for self-determination, democracy and human rights in line with international law.

The Delegation for relations with Palestine is led by MEP Manu Pineda (GUE/NGL, Spain) and comprises MEP Evin Incir, 1st Vice-Chair (S&D, Sweden), MEP Margrete Auken, 2nd Vice-Chair (Greens/EFA, Denmark), MEP Sylvie Brunet (Renew Europe, France) and MEP Lefteris Nikolaou (N.A., Greece).

This statement has been endorsed by the whole delegation, with the exception of MEP Lefteris Nikolaou

ANNEX IV

''Members of the European Parliament visit Palestine'' Media clipping

Agency	Title	Type
Ramallah Mix – Facebook Page	Jerusalem: press conference for the EP Delegation after their visit to Issawiya : بعثة البرلمان الأوروبي بعد زيارتها لبلدة العيسوية قرب القدس.	Facebook post
	رام شامکس - Ramallah Mix - رام شامکس February 27 at 3.00 FM	
	اقتس: مؤتمر صحفی البعثة المرتمان الأوروبی بعد زا برانها لينده العيسوية ف _{واب} القنس. العمورين حليف حميره	
Wafa News Agency	Delegation of European Parliament starts official mission to	
(official PA media)	<u>Palestine</u>	
Wafa News Agency (official PA media)	Premier calls on Europe to get international companies to end work in Israeli settlements	
Wafa News Agency	EU official stresses necessity of EU's recognition of State of	
(official PA media)	Palestine	
Wafa News Agency (official PA media)	European Parliament Delegation visit the Central Elections Committee	
Wafa Agency	Jerusalem: press conference for the EP Delegation after their visit to Issawiya - مؤتمر صحفى لبعثة البرلمان الأوروبي بعد زيارتها لبلدة العيسوية قرب القدس.	Still photos
Ma'an News	Member of the European Parliament visit Palestine عضاء من البرلمان الاوروبي يزورون فلسطين	Video
Ma'an News	EP Delegation visit Palestine بعثة البرلمان الأوروبي إلى فلسطين	Written
AL Najah News	EP: a State of Palestine should be recognised البرلمان الاوروبي: يجب الاعتراف بدولة فلسطين	Written
Khabar press	The EP Delegation officially starts its mission in Palestine بدء بعثة البرلمان الأوروبي مهمتها الرسمية في فلسطين	Written

Agency	Title	Type
Sanad News	The EP Delegation officially starts its mission in Palestine	Written
	بعثة البرلمان الأوروبي تبدأ مهمتها الرسمية في فلسطين	
Ard Kanaan News	The EP Delegation officially starts its mission in Palestine	Written
	بعثة البرلمان الأوروبي تبدأ مهمتها الرسمية في فلسطين	
Al Rai (Jordanian	EP Delegation: "Deal of the Century" cannot be the basis for peace	
outlet)	negotiations	
	: « » يمكن - صحيفة	
Sama News +	Amal Jadou briefs the EP on the latest Palestinian developments	
Al Wattan Voice	The MoFA receives an EP Delegation الخارجية والمغتربين	
Pal Sawa	Amal Jadou briefs the EP on the latest Palestinian developments	