



Ms Ursula Plassnik
Foreign Minister of Austria
President of the Council of the EU

Brussels, 31 May 2006
Our ref.: B_554

Dear Ms Plassnik,

Subject : Human Rights Concerns to be addressed by the EU-Israel Association Council

Amnesty International would like to seize the opportunity of the forthcoming EU-Israel Working Group on human rights and the subsequent EU-Israel Association Council Meeting to draw your attention to some key human rights concerns, which we hope you will be able to raise with your Israeli counterpart during your political deliberations.

1. Expansion of settlements, construction of roads and the wall in the West Bank

As you are well aware, the seizure and appropriation of land for the construction of settlements and related infrastructure such as access roads, is in contradiction to international humanitarian law. The International Court of Justice, in its Advisory Opinion of July 2004 declared that the construction of the fence/wall inside the West Bank is illegal under international law and called for it to be dismantled.

Amnesty International acknowledges Israel's right to take reasonable, necessary and proportionate measures to protect the security of its citizens and borders, including measures to prevent suicide bombings or other attacks. However, we hold the view that such measures must be carried out in accordance with international standards and conventions. The construction of the fence/wall has compounded the restrictions on the Palestinian population and further deteriorated the humanitarian situation.

Amnesty International calls on your good offices to send a strong message to the Israeli authorities that the EU cannot condone measures which disregard international law and impact negatively on the fundamental rights of the local Palestinian population.

2. Disproportionate and excessive use of force

Since the beginning of 2006, Israeli forces have killed more than 110 Palestinians, including more than 20 children. During the same period of time, Palestinian armed groups have killed 16 Israelis, including 2 children. Amnesty International condemns all killings of civilians, regardless of which side is the perpetrator. In the context of the EU-Israeli Association Council however, it would be appropriate for the EU to address the practice of extra-judicial executions carried out by the Israeli armed forces, as a substitute for arrest and trial of Palestinians involved in carrying out attacks against Israel.

Amnesty International would furthermore like to draw your attention to the increase in air strikes and artillery attacks against Gaza since the withdrawal of Israeli troops from the Gaza strip. During the past two months Israel has launched more than 5000 artillery shells and 80 missiles against Gaza, severely affecting the civilian population. Amnesty International is aware of the approximately 200 home-made "Qassam" rockets that have been fired by Palestinian armed groups into Israeli territory. Amnesty International strongly condemns the use of indiscriminate weapons which targets the civilian population and has re-iterated its concerns to the Palestinian authorities.

We ask you to use the occasion of your political deliberations with the Israeli authorities to call for an immediate halt to the excessive use of force against the Palestinian civilian population in general and in Gaza in particular.

III. Humanitarian Crisis

Following the election of Hamas, the EU and the United States have found it necessary to reduce or cut their assistance to the Palestinian Authority. Given the aid dependency of the Palestinian Authority, this decision has had humanitarian ramifications. Amnesty International is aware that the EU is seeking to reduce the negative humanitarian consequences for the civilian population.

Under the Geneva conventions, Israel as the occupying power remains responsible for the well-being of the Palestinian population of the Gaza strip and the West Bank.

Amnesty International urges you to call upon the Israeli authorities to meet their obligations under international humanitarian law to ensure that basic humanitarian needs are met. The EU should further urge that unnecessary, disproportionate and arbitrary restrictions on the freedom of movement of goods and people are lifted, so as to allow economic activity to take place.

IV. Discriminatory law on family reunification

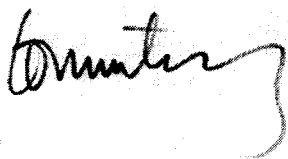
As you are aware, on 14 May 2006 the Israeli High Court of Justice upheld a law which explicitly denies family rights on the basis of ethnicity or national origins, barring family reunification for Israelis married to Palestinians from the Occupied Territories. The law is currently in force until mid-July 2006, at which point it will likely be renewed or amended.

Amnesty International considers the law discriminatory and urges the EU to take the opportunity of the forthcoming Association Council Meeting to call for the law to be repealed.

Please find attached for your information a briefing note, which provides some additional details for each of the four points mentioned.

As well as serving the EU-Israel working group on human rights, I hope that this will enable you to raise these key human rights issues with your counterpart and I look forward to hearing from you as to the outcome of your deliberations.

Yours sincerely,



Dick Oosting
Director Amnesty International EU Office

Enclosed: Amnesty International briefing paper "EU-ISRAEL Association Council Meeting, 13 June 2006"

Cc.: Ms Benita Ferrero-Waldner, Commissioner for External Relations and European Neighbourhood Policy; Mr. Javier Solana, EU High Representative for the CFSP; Mr. Michael Matthiessen, EU HR Javier Solana's Personal Representative for Human Rights.