

Europe: Act now

40 years of unlawful occupation policies

Development under prolonged occupation is a challenge. Our partner organisations in Israel and the Palestinian Territories have not given in to frustration. They continue helping people live dignified lives under difficult conditions. Development under prolonged occupation is also a special challenge for our own work as church related development and peace organisations in Europe. Especially since the occupation of the Palestinian territories has been marked by policies contravening fundamental principles of international humanitarian law. Forty years are a long time. It is now time for the European Union to act and fulfil its responsibilities.

1. A suffocating occupation

Israel has been occupying the West Bank, including East-Jerusalem, and the Gaza strip since June 10th 1967. These areas, known as the Occupied Palestinian Territory (oPt), have existed under Israeli military and administrative control for forty years. In this period Israel has strengthened its effective control over the oPt unlawfully, through the construction of settlements for 450.000 Israelis and by-pass roads, the construction of walls and fences, the confiscation of land and resources, the demolition of thousands of homes and the establishment of over 540 checkpoints and other impediments to movement in the West Bank alone. These measures have fragmented the oPt and confined the Palestinian population into dozens of closed enclaves. Despite its unilateral 'disengagement' from the Gaza Strip in 2005, Israel remains an occupying power, exercising control over the borders, restricting exit and entry and controlling the sea and air space.

2. Accommodation of Israel's policies

Israel, as the occupying power, is responsible for the protection of civilians living in the oPt. However, it has systematically refused to respect its obligations under international humanitarian law and it has perpetrated numerous human rights violations. Palestinian civilians have borne the brunt of these policies, many of which constitute war crimes under international humanitarian law. While the European Union (EU) has repeatedly called on Israel to stop and reverse many of these illegal measures, it has offered Israel a range of new opportunities to integrate into the Community's market and participate in Community programmes and agencies without conditioning any of its offers on Israel's compliance with international humanitarian law. The EU has also repeatedly chosen to accommodate Israel's insistence on implementing its existing privileged contractual relations with the EU in a manner that violates international law. In doing so, the EU has often failed to respect its own law, and appears to have accorded Israel an exceptional margin to violate international law with impunity.

3. A costly occupation

The EU has consequently failed to achieve progress towards its declared political objective: the establishment of a two-state solution. Instead it is relieving Israel to bear the financial and political consequences of the occupation, as it focuses primarily on trying to protect Palestinian civilians from the humanitarian consequences of Israel's abuse of force. This policy has allowed Israel to further strengthen its effective control over the oPt in a way that contravenes international humanitarian law. Furthermore, massive donor aid has not prevented a sharp economic decline and the process of Palestinian de-development.

4. Fear of spreading disrespect for fundamental rules and instability in the region

Both Palestinians and Israelis have the right to self-determination and should be able to live in peace in a sovereign state with secure borders. Palestinians must respect Israel's right to live in peace within secure and recognized boundaries free from threats or acts of force. Israel has to respect the Palestinians' right to exercise self-determination in a viable sovereign state with secure borders. Yet, the actions of all parties to the conflict have been characterised by a disrespect for the principles of international law, particularly those aimed at protecting civilian life. Since the start of the peace process, Palestinian armed groups have unlawfully attacked Israeli civilians, resulting in Israeli casualties and widespread fear. Throughout its forty year occupation the state of Israel has carried out a wide range of internationally unlawful acts against Palestinian civilians, including wilful killings and injuries. Now the Palestinian civilian population is also contending with economic collapse and the collapse of public institutions and essential services as a result of concerted economic sanctions that have no precedent. The provocation of such a serious humanitarian crisis in the oPt threatens greater insecurity for Israelis and Palestinians alike and promotes further regional instability.

Recommendations to the EU and the member states

1. 40 years of unlawful occupation policies: We call upon the EU to urge Israel to dismantle the settlements, internal checkpoints, walls and fences, refrain from the confiscation of land and stop the demolition of houses, thus restoring the conditions for a just peace and a viable two state solution and ending the occupation.
2. 40 years of violations of international law: We call upon the EU to ensure Israel's respect for international humanitarian law and the human right conventions. The EU can no longer accommodate these unlawful policies. It should ensure Israel's respect for international law in its bilateral relations thus narrowing Israel's margins to violate rules protecting civilians and respecting its own Community law.
3. 40 years of costly occupation: We call upon the EU to linking its commitment to international humanitarian law to its aid policy and political objectives. The EU has to guarantee that its aid does not relieve Israel from the obligation to bear the costs of occupation and can not be used to strengthen its unlawful occupation policies, thus biasing the prospects for regional stability and undermining one of the key objectives of the European Neighbourhood Policy.
4. 40 years of unsuccessful international diplomacy: We call upon the EU to fulfil its legal responsibilities and contribute to reversing the effects of unlawfulness in the region. The EU should act in order to restore the basis for an effective peace process reaffirming the necessity for negotiations.

This statement is an initiative by CIDSE member organizations, Broederlijk Delen, CCFD, Cordaid, FOCIV, KOO, Misereor, Trócaire and by Pax Christi International.