

Justice for Palestine

**Life under occupation:
is there a path to equality and peace?**

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for North West England
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Foreword by Gina Dowding, MEP

Much has changed in the international and political sphere since last summer, when as an MEP, I embarked on my third trip to Israel and Palestine. Israel's new coalition Government's plan to annex significant parts of the occupied Palestinian West Bank after 1 July this year. This has been condemned by The United Nations Human Rights Council (UNHRC) as violating a cornerstone principle of international law and must be meaningfully opposed by the international community.¹ I offer this report as a contribution to the urgent debate that is needed about what this meaningful opposition can be.

During my short time as a MEP, I was a member of the Foreign Affairs Committee. I was also nominated by the Greens/EFA group to two Parliamentary Delegations for European Parliament relations with Israel and with Palestine. In August 2019, I seized the opportunity for a five-day visit to East Jerusalem and the West Bank, including Hebron and the surrounding areas (see Appendix A for background information).

As an international cross-party delegation of politicians, we were welcomed by a whole range of organisations: from official UN international NGOs such as the UNHRC; civil society groups who offer services to Palestinians, such as PalVision youth organisation and the Women's Center for Legal Aid and Counseling in East Jerusalem; Israeli-based human rights organisations such as B'Tselem; and crucially, Palestinian individuals, their families and communities (see Appendix B for the full list of organisations interviewed).

This report documents some of the issues raised by those I met in Palestine, together with the subsequent interviews with Palestine civil society groups and NGOs, and events in the European Parliament. This includes a roundtable Parliamentary discussion to look at the inconsistencies of EU trade with occupied territories, which I co-hosted just two days before my term as MEP ended.

My particular interest in joining the delegation arose from having visited Israel four decades previously, when I was a naive 18-year-old and spent six months living in Kibbutz Urim in the Negev desert. I had the time of my life, living the experiment of Zionist socialism and working with a vibrant international and young volunteer workforce representing every continent. Then nine years ago, on a short self-funded trip to the West Bank through the Joint Advocacy Initiative (see Appendix C), I assisted Palestinian olive farmers who struggled to bring in their harvest and I witnessed first-hand, the face of hostile Israeli settlers and an army presence. I also met with a number of Palestinian and Israeli based organisations who support Palestinian civilians living in the Occupied Palestinian Territories (OPT).

My visits have never included Gaza. The Gaza Strip is the third territory of Palestine that is occupied by Israel with a completely different set of restrictions and far more serious impact on human rights, well-being and general quality of life.

I do not claim to be a Middle East expert. I strive here to report on the situation as I found it last year, as a backdrop to the issues and potential actions that could be important as part of the endeavour to keep hope alive for a peaceful resolution to the contested situation in Israel-Palestine.

Since my visit last year, the situation for Palestinians has intensified. President Trump's increasingly partisan pro-Israel approach is fuelling the rapid expansion of Israeli settlements in Palestine and reversing nearly 50 years of diplomatic work. Since the new Israeli government, a 'unity government' declared its intention to annex approximately one-third of the land in the West Bank, many now believe it is no longer a question of whether annexation will go ahead, but when.

In light of this, there is an opportunity to look again, and with renewed determination and creativity, at the role of international players, governments and civil society's calls for action, to help bring justice and equality for the Palestinian people.

**Gina Dowding,
August 2020**



1. Introduction

The COVID-19 lockdown and our response to containing the coronavirus is giving many of us in the UK, a tiny glimmer of what it is to live life as a Palestinian: living under constant threat; subject to curfews; road blocks and checkpoints; restrictions on visits to family, land or workplaces, except by the whim of the authorities; and unable to see family, even children, in hospital.

Life is indescribably hard and frustrating for Palestinians under occupation; everyday travel and movement between Palestinian towns is subject to Israeli road blocks and controls; professionals seeking work finding their qualifications are void for working in their own country; young East Jerusalemites unable to get permission to extend their homes to make space for their families while they watch Israelis expand accommodation in their neighbourhoods; rural farmers evicted or under constant threat of losing land; social and environmental pressures mounting as years of oppression take their toll.

A huge number of international players and NGOs, with not insignificant resources attached, are operating in the region. But the breathtakingly large number of personnel deployed by international NGOs in the Occupied Palestinian Territories are powerless to influence or enforce constraint to Israeli government behaviour. The UN Office for Humanitarian Affairs, whose strategic objectives include protecting and promoting the rights of Palestinians under blockade and providing a humanitarian response through provision of basic services, working to uphold International Humanitarian Law and International Human Rights Law, are powerless to intervene to effect change to abuses. They are simply there with a watching brief and to alleviate the worst of the effects of occupation.

For years the international community from the UN to the EU, have lacked willingness or commitment in taking meaningful action to follow up resolutions of condemnation. Trade deals between the EU and Occupied Palestinian Territories and Israel's inclusion in the EU's Horizon research programme as examples, continue unchecked. MEPs in the European Parliament and MPs in national legislatures, across the political spectrum, have attempted to raise awareness of Israeli government abuses of power and to highlight the disconnect between EU and national governments' stated aims of protecting human rights and promoting a peace process, and the reality of the situation on the ground.

The implications of the annexation plan, only announced since my visit, are huge and call for renewed and urgent action by the international community. The Israeli government elected in May 2020, amid political crisis and after the third elections in Israel within a

year, has declared that it will annex huge swathes of Palestinian land in the West Bank, including the Jordan Valley as well as its 131 Jewish settlements, starting as soon as July 2020. Annexation² is a move to solidify administrative control of the illegal Israeli settlements and exercise Israel's sovereignty of nearly one-third of the West Bank, including the fertile Jordan Valley. This is a culmination of years of appropriation of land – through the forced displacement of Palestinians, settlement and the annexation of East Jerusalem making life harsher, increasing disillusionment, and destroying hopes for a two state solution in Israel-Palestine.

A report³ from the UN High Commission on Human Rights expresses serious concerns:

“...What would be left of the West Bank would be a Palestinian Bantustan, islands of disconnected land completely surrounded by Israel and with no territorial connection to the outside world. Israel has recently promised that it will maintain permanent security control between the Mediterranean and the Jordan River. Thus, the morning after annexation would be the crystallisation of an already unjust reality: two peoples living in the same space, ruled by the same state, but with profoundly unequal rights. This is a vision of a 21st century apartheid.”

Response to the plans for annexation by the world's leaders, with the exception of the US, has almost universally been one of condemnation, with concerns that Israeli annexation could trigger further conflict and instability in the occupied West Bank and Gaza strip.

President Trump's so-called Israeli-Palestinian peace plan unveiled in January, implicitly accepting annexation, is a radical shift from previous US positions, and has emboldened the Israeli administration. The EU, the wider international community, including the UK government must stand up for their own laws and values, and be clear about what sanctions Israel can expect when annexation of Palestine happens.

2. The Occupied Palestinian Territories

Since 1967, Palestine has been occupied by Israel. Legally defined as the Occupied Palestinian Territories (OPT), Palestine encompasses East Jerusalem, the West Bank and the Gaza Strip. Since the early 1970s, the impact of occupation has been increased by the influx of Israeli settlers into the West Bank. Settlements are the unnerving reality of completely new town developments, usually high on the hillsides in the West Bank, into which only Jewish Israeli citizens may move.

There are around 150 settlements now in area C in the West Bank. Settlements are isolated and separate in every possible way from the existing Palestinian villages, hamlets and towns, and are serviced with new roads, electricity, and water by Israel and Israeli utility companies. They are there in total defiance of international law and physically, economically and environmentally threaten the Palestinian communities around them.

Since the Oslo agreement in 1992 there are strict and different rules applying to those living in the marked zones of areas A, B and C in the West Bank. Different policing, administrative and legal systems, army presence, controls on movement, planning permission, resource use and level of settlement activity apply in each area. Different residence permits, identity permits and one-off planning permissions control where Palestinians can live, work, marry, attend a hospital or higher education.

According to latest estimates, just over 3 million people live in the West Bank, including East Jerusalem, and over 1.94 million people in Gaza, in an area of 141 square miles, in very overcrowded conditions.



WEST BANK: MEETING PALESTINIANS

Khan al-Ahmar: an example of a village under threat

I had the honour of speaking to residents of Khan al-Ahmar, a very vulnerable Bedouin village located between two big Israeli settlements. It finds itself in a key strategic position in terms of Israel's implicit (if not explicit) plans to clear area E, land to the east of Jerusalem, so that East Jerusalem will be surrounded by Israeli settlements. This will result in the north of the Palestinian West Bank cut off from the south. Hundreds of Bedouin living in villages around have already been removed and Khan al-Ahmar is one of 46 other villages facing the same fate.

In 2018, the Israeli supreme court ruled that the village could be removed. Villagers have so far faced-down numerous attempts to evict them with support of Palestinian, Israeli and international organisations, including the European Parliament. The EP declared that this would be breaching the Geneva Convention and might be declared a war crime. The Israeli government has backed down for the time being but the villagers fear renewed action against them once the new government settles into action.

Solidarity by Israeli-based group Breaking the Silence

In Hebron, we were met and shown around by Yehuda, who set up Breaking the Silence – an organisation of veterans of the Israeli army – which provides inspiration for those seeking to end the occupation and is clearly a thorn in the side of Israel's PR machine. Yehuda is an inspiring character, highly thought of among Palestinians, who aims to expose Israeli Defence Force tactics through documenting abuse of civilians, looting, destruction of housing, all in the culturally-approved name of security. Breaking the Silence is determined to help end the occupation with all that it involves.

Hebron is unique in the West Bank in that about 80 households of Israeli settlers have moved into five building areas within the city, including one in the bus station. They are protected by 650 soldiers. It was his experience of military command-led abuse of Palestinians that for Yehuda, and many other ex-soldiers in his group, was the turning point; including having to obey orders to fire indiscriminately on civilians, and constant raids and intimidation of the Palestinian population.

We walked along the main street in Hebron, once a busy market, now completely closed to Palestinians. We could see how the army has welded closed the front doors of those residents who dared to remain, so they can only leave by (climbing over walls to reach) the back of their homes. To get to the shops or to work most Palestinians have to go through some of over 80 checkpoints in the city. In response to a particularly cruel measure, we saw how Palestinians have spread nets across the street to catch the garbage thrown at properties by settlers living above, and have built protective barricades on their balconies. Yehuda, our well-known guide, himself was a target of settler abuse as he walked our group through the city. While some adults we passed shouted at him, one child threw water over him as parents looked on with contempt.

Yehuda, of Breaking the Silence organisation, demonstrates the former bustling market in the main street in Hebron now closed to Palestinian.



Palestinian residents resort to creating protecting their own balconies from stones and garbage thrown by settlers.

Taybeh business success against the odds

WATCH Taybeh Brewery business success

Disturbing as such insights were, I was also impressed by the resourcefulness of Palestinians in establishing and running businesses against all odds. The enthusiasm of Madees, a family partner in the Taybeh brewery business was contagious and it was heartening to hear from her about the Taybeh business success, despite incredible difficulty in getting supplies of one of its major ingredients – water – and in exporting beer due to travel restrictions which the occupation brings. The business, in one of Palestine's Christian villages, was founded in 1994 which last year employed around 40 employees, and has expanded to include a winery and hotel.⁴



EAST JERUSALEM: NEGOTIATING LIFE WITHOUT CITIZENSHIP

There worrying signs of the new direction Israel's government is taking are evidenced by the latest developments in East Jerusalem. When we visited the area and met local NGOs and civilians, the hardship experienced by locals was evident.

Palestinians living in East Jerusalem face a particularly acute situation. Under international law, Jerusalem has a separate international status from the rest of Israel or Palestine, recognising its significance to both communities. This status cannot be resolved short of a 'peace agreement'. The declaration that 'Jerusalem is the capital of Israel' recently supported by the Trump administration with its transfer of the US Embassy into Jerusalem, challenges the fragile arrangement, and is severely exacerbated on the ground by Israeli settlement expansion in East Jerusalem.

WATCH Challenges Faced By Palestinians in Jerusalem



Civil society groups supporting human rights in East Jerusalem

Young people involved with PaIVision,⁵ a youth organisation, showed us around East Jerusalem. Kalim, one of their workers, talked of their aim to empower other young Palestinians through education, building identity, training and work. Like so many others, he was enthusiastic about their mission and all but overwhelmed by the coercive environment in which they live: lack of the basic human rights to citizenship, movement and housing. Palestinians cannot leave East Jerusalem for fear of losing their ID due to the explicit Israeli plan, spelled out in Plan 2020, for removing Palestinians from Jerusalem into the West Bank. This plan is already being implemented through everything from harassment to house demolitions. Those, like Kalim resisting these assaults on Palestinian civilians and ways of life, are dedicated to protecting their dignity and human rights in the face of powerful occupying forces.

WATCH History of IDF Home Demolitions in 1997



Impact of settlements and settler violence

It was distressing to listen to those living under the impact of this offensive. We met S, a Palestinian father who has thrown himself into trying to resist the forcible takeover of his neighbourhood by a hostile Israeli settler organisation, which is aiming to harass up to eighty Palestinian families out of their homes and to move Israelis into them. Israeli colonists are prepared to live under protection by security guards until the neighbourhood can become 'Israeli'. S and his comrades, known as human rights defenders, are committed to using non-violent methods to resist. They are up against the government and the courts, and more. If a group of children show their feelings by hurling stones at the settlers, the security forces respond by harassing the whole community in regular binges of collective punishment.

WATCH Documenting Israeli Occupation by B'Tselem



Access to Adequate Housing

There are less dramatic ways in which life in East Jerusalem is made difficult or painful. Sharouq, a young, energetic young Palestinian woman told me about her distress. She has met a young man, they'd like to marry and live together, but can't buy or extend a family house because Palestinians cannot get permission to build or develop in the city. The Israeli army demolishes any houses built without the required permission. Should they go and live in the West Bank where they might be able to find a cheaper house, they would then lose their residence permits and be unable to return to Jerusalem, even to visit the town where they grew up and their families live.

WATCH Interview with Sharouq in East Jerusalem



Access to education and employment

Meet Bara'a, another young woman who has grown up in East Jerusalem and studied English and education for four years at Al Quds, the Palestinian university in the city. She told me sadly that her qualification is not recognised by the Israeli Ministry of Education so she is unable to get a teaching job in Israeli-controlled East Jerusalem. Her degree is worthless to her and she is having to figure out how else she can develop and find work.

WATCH Limitations of University Education for Young Palestinians



The determination of W, a young East Jerusalemite trained and now working as a vet, is astonishing. As a Palestinian with a Jerusalem ID card he was unable to study law, medicine or veterinary sciences in Israel. Forced to study at university in the West Bank, the requirements by Israel to be able to practice from his home in East Jerusalem, meant taking more registration exams in Israel, and subsequently learning Hebrew well enough to take the exams. Despite the obstacles, he has come through.

WATCH Difficulties faced by Palestinian Students Studying in Jerusalem



3. Response of the EU and the international community

Responses of the international community need to be anchored in upholding, respecting and promoting international law. The situation in the Occupied Palestinian Territories (OPT) is governed by both international humanitarian law, which covers the rules of the law of occupation, as well as human rights law.

The Association Agreement between the EU and Israel, gives Israel huge advantages as a non-EU member with 'Preferential' terms in trade and other agreements. Members of Palestinian civil society, other Palestine solidarity groups have long campaigned for the EU to do more. MEPs, elected to one of the largest democratic bodies in the world with the European Parliament representing 450 million European citizens, have potential leverage to effect change to support Palestinian rights. As an MEP I worked alongside my peers to explore, push forward and exploit some of those opportunities. Many of these opportunities will rest in future with UK MPs.

ENDING THE TRADE OF GOODS FROM ILLEGAL SETTLEMENTS IN THE OCCUPIED TERRITORIES

While MEP, I spoke up for a ban on settlement goods in the European Parliament plenary in Strasbourg, and followed this up by co-hosting an event with fellow Greens/EFA MEPs in January 2020, on EU Trade with Occupied Territories.

Illegal Israeli settlements are sustained due to their trade and economic activity. A 2013 OHCHR report outlined how the impact of business activities in the OPT is causing, directly and indirectly, human rights abuses of Palestinians. The EU, the UK and the international community could use preferential trade agreements with Israel as leverage to shift the status quo and protect Palestinian rights by ending trade and the importation of settlement goods into European markets.

At the event, Irish Senator Frances Black, presented her innovative Control of Economic Activity (Occupied Territories) Bill 2018⁶ which would ban and criminalise "trade with and economic support for illegal settlements in territories deemed occupied under international law". Ireland is the only EU member state, so far to attempt a ban on settlement goods. The Irish law does not explicitly mention Israeli settlements, although it is clear this law would help to solve the issue of sustaining illegal settlement through trade and economic activity.

As the keynote speaker, Manuel Devers, of Polisario Front, introduced some of the more technical elements of what an EU-wide ban would like in practical terms, while Martin Kocnency delved into the particularities of the Israeli occupation and the effects it has on Palestinians, and why a more coherent EU policy towards Israel and Palestine would be beneficial for the region. It was extremely disappointing that the European Commission and the European External Action Service, two EU institutions key to the implementation for a coherent EU policy on trade with occupied territories, declined our invitation to participate in the roundtable discussion within the European Parliament.

ENDING BUSINESS AS USUAL: LABELLING OF GOODS

Many countries are unknowingly importing goods that are produced in illegal settlements, which allows companies operating in these contested areas to profit and thrive.⁷ In November 2019, a European Court of Justice (ECJ) landmark ruling, confirmed that Israeli settlement products cannot be labelled as originating in the State of Israel. This ruling reiterated the illegality of settlements and the primacy of international law. The court ruling arose due to a lack of implementation of settlement products being labelled as coming from illegally occupied territories. It should be a matter of transparency that consumers are able to avoid buying products that are contributing to human rights abuses of Palestinians.

IDENTIFYING COMPANIES OPERATING IN THE OPT

I coordinated signatures of Green MEPs to join others in calling for the UN Office of High Commissioner for Human Rights (OHCHR) to release the database of companies operating and profiting from Israeli settlements in Palestine. The list includes European and American companies, who appeared to have pressured their respective UN Member States to delay the release. The database of the 112 business enterprises involved in activity that: "directly and indirectly, enabled, facilitated and profited from the construction and growth of the Israeli settlements" and "raise particular human rights violations concerns" was finally released in February 2020.⁸

This provides a boost to efforts to help businesses and States ensure they are not contributing to the abuse of Palestinians' rights. Specific business activities included

are: the supply of construction and surveillance equipment; the supply of surveillance, security, banking and financial services; the exploitation of natural resources and, more generally, the supply of services and utilities supporting the maintenance and existence of settlements.

CHALLENGING DEMOLITIONS IN THE WEST BANK AND EU FUNDS

During 2019, a total of 621 Palestinian structures in the West Bank were demolished or seized by Israel – a 35% increase – the majority on grounds of lack of permits, displacing 914 Palestinians – a 95% increase, compared with the previous year.⁹ Some of these demolished structures were built with EU funds. According to the European External Affairs Service (EEAS): “Of the structures, such as classrooms and residences, targeted over the six month reporting period, 25 structures were funded by the EU or EU Member States for a value of nearly €107,299.”¹⁰

Since 2014 EU/MS aid worth a total of €1.45 million (474 structures) have been demolished or seized in violation of basic principles of international humanitarian law. The European Parliament called in 2018, for the EU “to demand compensation from Israel for the destruction of EU-funded infrastructure”.

At the end of last year, I co-signed a letter from MEPs to the European Commission to ask what steps had been taken by the Commission and the Consortium donors to secure financial compensation by Israel for the cost of demolished or seized EU aid and to ask what further measures, including the potential for deducting the value from EU-Israel bilateral support, are foreseen by the Commission in response to the obstruction of EU aid.

Sadly my time as MEP finished before a response was received.

SUPPORTING PALESTINIAN HUMAN RIGHTS AND CIVIL SOCIETY ORGANISATIONS

Civil society, NGOs and their workers face both smear campaigns and direct threats for simply doing their work, so undermining their efforts and tangibly putting the safety and human rights of activists at risk. In my meetings in the European Parliament with representatives of various organisations and NGOs dedicated to promoting human rights in Palestine and Israel and to continue their mission for peace, their request was unanimous and clear: please support us in any way you can.



Gina meets Omar Shakir of Human Rights Watch in the European Parliament.

HUMAN RIGHTS WATCH

The case of Human Rights Watch (HRW), one of the leading human rights organisations in the world, and the deportation of their Director for the Middle East, Omar Shakir, is a good indicator of the reality and risks of undertaking human rights advocacy in Palestine (photo: left, Omar Shakir and myself at the European Parliament, Brussels December 2019).

The problems began over two years ago, when the Israeli government initially denied Human Rights Watch the permission to hire a foreign employee.

The claim by the Israeli government against Omar Shakir was that he was conducting propaganda work, and not human rights work in Israel and Palestine. Israel launched formal legal proceedings against him. Notably, it was the first time Israeli Intel had produced a dossier on a human rights worker. Omar Shakir was eventually deported because of his work, and it was the first time in 30 years of working in the region that a HRW employee was forced to leave. After an international backlash, Israel eventually granted Mr Shakir a work visa.

This hostility faced by a world-renowned international organisation and well-funded structure with offices all around the world, can only serve to show the treatment that local NGOs and civil society organisations are facing. Since Israel's 2016 NGO law came into place, Israeli authorities have raided civil society offices, detained activists without

trial and barred human rights workers from entering the country. Restrictive legislation and governmental policies are also coupled with smear campaigns aimed at delegitimising human rights work – a trend we have seen here in Europe with ultra-nationalist forces.

INTERNATIONAL CRIMINAL COURT

Al-Haq, a human rights organisation based in Palestine, called on MEPs for support and for the EU to stand up and defend the International Criminal Court (ICC) and its mandate. The International Criminal Court's decision in December 2019 to launch an investigation into alleged war crimes of the Israeli army was met with a robust response from Israel, closely backed up by the Trump administration.¹¹ Both Trump and Netanyahu, whose countries are under investigation from the court for different cases (the US is under investigation for alleged crimes in Afghanistan) have launched strong attacks on the ICC aimed at discrediting and framing it as a biased institution. Netanyahu's charge of anti-Semitism by the courts follows a trend of attempts to discredit international institutions.

The investigation marks a critical moment for the future of the ICC and its ability to provide justice and remedy for victims of war crimes. This is not solely about justice in Palestine, but about the integrity of international institutions like the ICC, the UN and the EU to challenge disregard for international law, and institutions designed to keep peaceful and good relations through international cooperation, since the World Wars. The ICC must be able to undertake its work free from threats, pressure and coercion. Through its statements, the EU positions itself as the defender of international law. However, the EU, and particularly the European External Action Service (EEAS), the foreign policy arm of the Commission, have yet to start implementing concrete action to defend international institutions and member states' legal treaty obligations.

CHALLENGING EU GRANTS SUPPORTING OCCUPATION AND WEAPONS MANUFACTURING THROUGH RESEARCH FUNDING

The EU grants funding to Israeli entities through its research funding, on condition that certain guidelines are complied with, including not to conduct any activities funded by the EU in the Occupied Palestinian Territories. Thousands of Israel's project proposals have been funded and it is estimated that Israel has received more than 1.7 bn euros of EU funding over an eight-year period.¹²

The EU contributed about 7m euros to Israeli weapons manufacturers Elbit systems and Israel Aerospace Industries (IAI) between 2014-2019, as part of the EU's research funding programme, Horizon 2020.¹⁴ These funds were mostly directed to projects concerning the



Gina with other MEPs in East Jerusalem.

development of drones and surveillance systems. In January when still a MEP, I published an article arguing that this funding must stop.¹³ The EU Commission asserts it is following the ethical guidelines of Horizon 2020, but in practice the guidelines are woefully insufficient: these projects claim to be civilian in nature, yet the research participants subsequently own the results generated, removing any guarantees that technology developed for civilian ends will not be used in military systems and platforms, or in the illegal surveillance of Palestinians in the occupied territories.

The funnelling of EU taxpayers' money to these kinds of companies is therefore highly ethically dubious, and endangers the EU's reputation as a defender of human rights and international law. The European Coordination of Committees and Associations for Palestine (ECCP) is calling for revision of the guidelines to ensure that companies with operations involved in Israel's illegal settlements are excluded per se from grants, and that military companies should be excluded from all EU research programmes.

UK AND EU RESPONSE TO ANNEXATION

Europe's closest equivalent to a foreign secretary, The EU's High Representative, Josep Borrell, did not mince his words when responding to the plan for annexation. Expressing clearly, albeit generally, that "annexation would inevitably have significant consequences" on the close ties currently enjoyed by the EU and Israel.¹⁵

Recognising that facts on the ground have made it ever more difficult to chart a course towards a peaceful two-state solution with an independent, sovereign and contiguous Palestinian state living side by side with Israel, The Greens/EFA group in the European Parliament listed nine steps the EU should take, including considering targeted EU measures against Israeli individuals leading the planning and implementing of annexation and settlement expansion in the West Bank.

Their position reiterated: “A peaceful solution of the long standing conflict between Israel and the Palestinians requires more than a reversal of the settlement policies and the prevention of Israeli annexations. It also requires positive steps on the Palestinian side, but there is no justification for continued flagrant violations of international law and human rights by Israel. If annexation moves forward now, the conflict might be cemented for many generations.”¹⁶

A number of European leaders condemned the plan for annexation¹⁷ and the UK Foreign Office has so far said an illegal annexation could not go unanswered or unchallenged, but has gone no further, partly since it is still hoping Israel may yet pull back. The UK will be coordinating responses, if possible, with other major European states, but the EU is divided on how to respond, with some groups such as the Belgian parliament voting for sanctions, if necessary in a coalition of the willing. Eastern EU member states normally oppose such measures. The UK’s response has been criticised as lacklustre: while reiterating its principled opposition to annexation, and stating that such action is illegal, the UK has consistently failed to outline how it will meaningfully oppose it. Only clear and concrete warnings will be an effective deterrent.¹⁸

In previous responses to Trump’s peace plan, PM Johnson heaped praise on the plan, stating: “It is a credible basis for a two-state solution, while also making Jerusalem the capital of both states.”¹⁹ Given the UK’s historical involvement in the territory, which paved the way for the creation of Israel, this is especially disappointing but not surprising. The EU’s response was also branded by some as ‘pitiful’ and ‘conflicting’, initially stating it will study and examine the plan. France, Austria and Poland welcomed the plan, while only Luxembourg and Ireland issued critical statements. Hungary blocked a strong unanimous statement condemning it, and later came out in support.

This represents the great ‘foreign policy’ predicament of the EU, which in times like these requires a strong unanimous voice to come out as a block to defend its common aims of preserving peace, strengthening international security, promoting international cooperation and developing and consolidating democracy, the rule of law and respect for human rights and fundamental freedoms.

Israel has built strong relations with new member states, particularly in the east of Europe and it is those that are supporting the plan. This may be symbolic of a shift of allegiances in the conflict. The well-respected Carter Center²⁰ working for peace in Palestine while also to help the fractured Palestinian democratic institutions, is prepared to meet and talk with both Hamas and Fatah in its mission to foster inclusive democratic societies and advancing human rights, accountability, and rule of law. This is something that other international leaders should consider in their peacebuilding initiatives.

ESTABLISHING PARLIAMENTARY CROSS-DELEGATION COORDINATION WORK FOR ISRAEL AND PALESTINE

As a former member of the two separate European Parliamentary Delegations: for Relations with Israel and for Relations with Palestine, it is my view that it would be beneficial for the Parliament to coordinate the two delegations on issues such as human rights, security, aid and tackling climate change. The two Delegations operate in silos, without consultation on key issues that affect both states, and joint work could be a useful step to pool resources and in pushing for the EU External Action Service to use the EU’s economic and political power to promote international law and find a peaceful solution to the conflict.

Similarly in the UK, increased co-ordination between the work of Palestine All Party Parliamentary Group²¹ and the Israel All Party Parliamentary Group²² could promote efforts to support just outcomes for both communities rather than to see the two as in conflict.

4. Action to support equal rights for Palestinians

A variety of players, and the elected officials within them, ranging from the European Union, national governments, local authorities and other institutions are key to upholding international law. Withdrawal of the UK from the EU means that UK citizens must now focus pressure on the UK government to use its leverage to effect change in policy towards Israeli defiance of international law. The UK can adopt or strengthen legislation and policy positions made by the European Union institutions. As citizens we can use our consumer power, but above all our campaigning and lobbying skills to effect change. This list of potential themes for campaigning is not exhaustive, yet highlights some key areas for action.

1. DEVELOP A STRONG RESPONSE TO THE THREATENED ANNEXATION.

Raise the profile of justice for Palestinians. Object to the annexation and urge sanctions if the Israeli Government goes ahead. Although in June over 1,000 European MPs called for the annexation plans to be halted, the EU has yet to produce a coherent response. It will be difficult to arrive at the unanimity required when Israel has worked hard to build strong relations with newly arrived member states, particularly those from Eastern Europe. We have to keep arguing that Israel cannot continue to flout international law without repercussions.

In the UK we must emphasise that we cannot prioritise economic and strategic geopolitical relations with Israel over human rights without negative consequences for all of us. This will involve distancing ourselves from the current US policies.²³

Various possibilities include: sanctioning trade with Israel for its human rights violations, as happened over the Russian annexation of Crimea; diverting EU funds to Palestinian civil society allowing it to build independent capacity, and away from the Palestine Authority, which functions as an arm of Israeli control.²⁴

2. HALTING FREE AND UNCHECKED TRADE WITH ISRAEL AND THE OPT

2.1 Boycott goods and products from illegal Israeli settlements.

The UK could declare an outright ban on products coming from the Occupied Palestinian Territories (OPT). This is the object of the Boycott, Divest and Sanctions (BDS) campaign

launched in the early 2000s as a call from Palestinian Civil Society. It defines itself as a “Palestinian-led movement for freedom, justice and equality”.²⁵ It is a non-violent tactic designed to put pressure on Israel to end the occupation and oppression of the Palestinian people. The movement was launched by 170 Palestinian unions, refugee networks, women’s organisations, professional associations, popular resistance committees and other Palestinian civil society bodies. Inspired by the South African anti-apartheid movement, it has three clear demands for Israel:

- 1 Ending the occupation and colonisation of all Arab lands and dismantling the Wall.
- 2 Recognizing the fundamental rights of the Arab-Palestinian citizens of Israel to full equality.
- 3 Respecting, protecting and promoting the rights of Palestinian refugees to return to their homes and properties as stipulated in UN Resolution 194.

This is not a call for the destruction of or end to the state of Israel: it is a call for justice and human rights.

2.2 Identify products originating from the occupied West Bank.

Since 2015, EU guidelines have been that goods originating in the settlements should not be labelled as produce of Israel. This, they say, is to ensure that consumers are properly informed about the origin of goods produced under conditions illegal in international law. In November 2019 the European Court of Justice confirmed that goods from settlements should be labelled as such.²⁶ To date, there has been no effective regulatory system set up to enforce this ruling: this would be a positive step for the EU, or the UK government, to take.

We can note that supporters of the BDS movement argue that since the settlements are an integral and important part of the Israeli economy the distinction between goods, products and services from the illegal occupied territories and from Israel proper is artificial. Annexation of the settlements would make any such distinction illusory and the EU would need to reconsider its guidance.

2.3 Boycott companies colluding with and benefitting from the Occupation.

The main focus of this tactic is on urging local councils and other institutions to refuse to contract with companies operating illegally. There have been successful community

campaigns against contracts with Veolia²⁷ and G4S. The UN Office of the High Commissioner for Human Rights finally released the long-delayed list of companies operating and profiting from Israeli illegal settlements. Some of the more well-known companies operating in the OPT are Airbnb, Motorola, Expedia, JC Bamford Excavators, Booking.com and Puma.²⁸ The full list of companies is listed here.²⁹

2.4 Divest from companies complicit in the Occupation

We can campaign to ensure that organisations we belong to – churches, pension funds, universities, withdraw investment from such companies. In April 2020, the Palestine Solidarity Campaign (PSC) successfully overturned UK ministerial guidance to Local Government Pension Schemes (LGPS) which in effect prohibited measures such as the boycotts supported by the PSC.

The guidance was intended to prevent certain types of ethical disinvestment. The Supreme Court ruled that the government went too far in imposing its political opinions onto the management of the money of LGPS members. LGPS members now have the freedom to pursue their own principles in respect of the role of the arms trade and foreign countries in violations of human rights when determining how their pension monies are invested. We will still have to challenge the government intention, announced in December 2019, to introduce legislation under which “public institutions, including local councils, will be prevented from setting up boycotts against countries such as Israel”.³⁰

3. FIGHT AGAINST ANTI-SEMITISM, WHILE SUPPORTING PALESTINIAN SELF-DETERMINATION

The long protracted and complex nature of the situation in Israel and Palestine, and more widely in the Middle East region, means attempts to report on it are fraught with risks. Sadly there is now a perception that commenting on Israel-Palestine risks racism and anti-Semitism either explicitly or implicitly, or through ignorance or accident.

The fight for Palestinian rights should never include demonising Jewish people for the actions of the Israeli government. Anti-racism means opposing all racism, and any form of racism must always be called out.

It is also important to call out the conflation of critiquing the Israeli government with anti-Semitism. Calling for a fairer treatment of, and equal rights in, Palestine, or opposing the illegal annexation of occupied territories is neither ‘anti-Israel’ nor ‘calling for the destruction of Israel’. Weaponising anti-Semitism to suppress criticism of the Israeli government actions is dangerous, it makes recognising and challenging very real anti-Semitism harder and it does not help identify antisemitic tropes.

The EU and the UK Government have adopted the IHRA definition of anti-Semitism which entrenches this confusion. The UK government unhelpfully rejected calls to insert two clarifications to the IHRA definition and examples: that it is not anti-Semitic to criticise the government of Israel, without additional evidence to suggest anti-Semitic intent; neither is it anti-Semitic to hold the Israeli government to the same standards as other liberal democracies, or to take a particular interest in the Israeli government’s policies or actions, without additional evidence to suggest anti-Semitic intent.³¹

We can ask of our government and of organisations that we belong to, that they make the distinction between anti-Semitism and criticism of the policies of Israel clear. In 2020, the European Court of Human Rights offered leadership in ruling that support for the BDS campaign is not anti-Semitic. This was in response to an attempt by the French courts to criminalise activists involved in the campaign.³²

And we also need to learn important lessons about avoiding anti-Semitic tropes – see this US article.³³

4. STOP ARMS TRADE WITH ISRAEL.

The 1998 EU code of conduct prohibits the licensing of arms sales where there is a ‘clear risk’ that the weapons will be used for internal repression and in defiance of humanitarian law (use of force against civilians) or to contribute to regional instability.

The UK operates its licensing system under the same guidelines but in practice, the UK government has continually given export licences to such weapons, including in the sale of weapons used in the 2014 bombing of Gaza. The UK is also involved in joint development of military equipment with Israeli arms manufacturers such as in the development of drones used for both surveillance and delivery of bombs.

The Campaign Against Arms Trade website³⁴ provides information about the UK’s complicity in Israel’s occupation in the OPT and focus for campaigning to end it.

5. STOP FINANCING THE ISRAELI DEFENCE INDUSTRY

The EU continues to be complicit in financing the Israeli defence industry, mainly through their Horizon 2020 research programme, due to inconsistent application of ethical guidelines. It is crucial that after Brexit, the UK adopts and applies clear ethical rules of engagement with future research partners, including occupying states when awarding grants. It must ensure that grant monies cease to be used towards the research and development of arms, and particularly drones.

6. SUPPORT NGOS PROTECTING HUMAN RIGHTS SUCH AS THE ICC, THE HRW AND THE UN

Attacks on civil society, such as documented here in the cases of Human Rights Watch and the International Criminal Court for its investigation into Israeli war crimes in Palestine, are attacks on our democracies, justice system and our future. When Israel and the US undermine international institutions like the ICC, the UN or NGOs because they are the subject of its critiques, everyone is at risk.

The fragile post-1945 peace among superpowers has been kept in check thanks to international law, international human rights and international cooperation on contentious issues. Constant attack of the systems of global governance weakens ability to provide global public goods, particularly peace and security, justice and mediation systems for conflict. Holding States to accounts is part of that global system for sustaining peace and promoting human dignity and global equality for all.



Gina with some of the Palvision members and hosts in East Jerusalem.

5. Conclusion

Exceptionally major changes in an always stormy situation have occurred since my visit last year to Israel-Palestine and since I finished my term as an MEP in January 2020. Political uncertainty, the threat of annexation and the intensification of control by Israel in the West Bank has mounted.

For citizens concerned about global security, human rights, and justice, Palestine demands attention. Ending the illegal restrictions, punitive conditions and inequalities imposed on Palestinian civilians is a necessary prerequisite for peace for all peoples living in the region.

The international community cannot stand by while one of its members breaches again a fundamental principle of international law and in effect moves toward embedding an apartheid state. I believe the European Union must rise to use its influence and needs to assert its values with a commitment to uphold and enforce international human rights and humanitarian law, through its trade agreement and standards which are undermined by the Israeli government.

The current US President, after recognising Jerusalem as Israel's capital, in withdrawing aid from humanitarian agencies, and in endorsing annexation of the West Bank, no longer has any aspiration to be an independent peace arbiter in the region.

With the UK's withdrawal from the EU, we as citizens can no longer turn to MEPs to take action on our behalf. Instead, as UK citizens, we must focus on lobbying the UK government, our councils, organisations and the institutions we belong to. We can act as individuals and collectively through our role as the electorate, our choices as consumers, joining campaigns, and participating in peaceful protests such as against arms sales to Israel at the Arms Fair.

And we need to ask the question: what is the future of a two-state solution? For so long this has been the mantra of the international community and has been the declared object of UK government policy. Increasingly, expert commentators are saying that the possibilities and hopes for self-determination and self-rule by the Palestinians in an internationally accepted two-state solution, continually diminished over the last decades - are now dead in the water.

Could this, however, shift the focus to obtaining equal citizenship and human rights for Palestinians within one state? The search for justice, dignity and a future in which Palestinian people can thrive through a new state of Israel-Palestine with equal rights for all, is gaining traction.

Some of the liberal Zionists who previously supported the two-state solution, are among those who now believe one state which fundamentally respects Palestinians' rights as equal citizens offers more hope for a secure future for all.

Writing in *Jewish Currents*, Peter Beinart makes a strong Jewish case for equality in a binational state of Israel-Palestine: "With each passing year, it has become clearer that Jewish statehood includes permanent Israeli control of the West Bank. With each new election, irrespective of which parties enter the government, Israel has continued subsidizing Jewish settlement in a territory in which Palestinians lack citizenship, due process, free movement, and the right to vote for the government that dominates their lives."³⁵

In his argument for a binational state of Israel-Palestine he asserts: "The traditional two-state solution no longer offers a compelling alternative to Israel's current path. It risks becoming, instead, a way of camouflaging and enabling that path. It is time for liberal Zionists to abandon the goal of Jewish-Palestinian separation and embrace the goal of Jewish-Palestinian equality."

It is unrealistic to hope that this would bring an integrated, democratic Israel-Palestine anytime soon, but as Beinart says with optimism: "Progress often appears utopian before a movement for moral change gains traction".

My observations and experiences in the West Bank, my conversations with those dedicated to working for peace, as well with the Palestinian people who simply want to live in freedom, have convinced me that until the issue of Palestinian rights is addressed, Israelis will continue to live in a militarised, undemocratic state which is simply not good enough for anyone. My first experience of Israel volunteering in a kibbutz four decades ago inspired me: how working together with a common and shared vision unites and motivates people. Yet more recent conversations with Israeli friends highlights that dreams cannot be built on others' despair, and a way of life cannot be sustained at the expense of another people.

Annexation must generate renewed and more serious efforts for enshrining equal rights for Palestinians, potentially in a single-state. It may require the international community to accept that a two-state solution is no longer viable to deliver justice for Palestinians.

Whatever happens with annexation, policymakers, civil society, international solidarity campaign groups and anyone interested in justice for the Palestinian people are called to act now.

Appendix

APPENDIX A

The visit was organised by DanChurchAid, Norwegian ChurchAid and Diakonia as one of their twice yearly trips for UK MPs, MEPs, international delegates and journalists, as an introduction to the dynamics, lived experiences, and international agencies and civil society organisations working in the region. Among the seven of us on the visit were three MEPs one each from the Greens/EFA, the Socialists and Democrats, and Renew Europe, together with four fellow visitors.

APPENDIX B

Meetings on the trip included the following organisations:

Al Haq: Palestine human rights organisation

B'Tselem: one of Israel's most prominent human rights organisations

Blue and White Party: Member of the Knesset

Breaking the Silence: an Israeli organisation of former soldiers who served in the West Bank and Gaza

Carter Center: country representative. Founded by former US president Jimmy Carter

Consul and embassy representatives: representatives from countries within the group

Delegation of the European Union to Israel: representatives

EAPPI Ecumenical Accompaniers: international volunteers from the World Council of Churches providing protective presence at the checkpoints

Israeli Ministry of Foreign Affairs: representatives

Jerusalem Post: Intelligence, Terrorism and legal analyst

Palvision: Leaders and young people of a youth organisation in East Jerusalem

Right to Run: founder of the initiative

UN OCHA (UN Office for the Coordination of Humanitarian Affairs): dealing with the humanitarian situation in the West Bank and Gaza

UN OHCHR: (the Office of the High Commissioner for Human Rights)

PLO: Head of the Negotiations Affairs Department

Women's Center for Legal Aid and Counselling: Director

APPENDIX C

The Joint Advocacy Initiative is an organisation that works in conjunction with YMCA and YWCA in Bethlehem and East Jerusalem. <https://www.jai-pal.org/en>

Useful Organisations

Palestine Solidarity Campaign
<https://www.palestinecampaign.org>

Medical Aid for Palestine <https://www.map.org.uk>

Al Shabaka <https://al-shabaka.org/en>

Campaign Against Arms Trade <https://www.caat.org.uk>

Free Speech on Israel <https://freespeechonisrael.org.uk>

Green Party England and Wales
<https://vote.greenparty.org.uk>

Greens/EFA in the European Parliament
<https://www.greens-efa.eu/en>

APPENDIX D

Films included in the report

Interviews in the report filmed in the West Bank and East Jerusalem available directly via these link on You Tube

Taybeh Brewery business success
<https://www.youtube.com/watch?v=osBJHuZiljQ>

Challenges Faced by Palestinians in Jerusalem
<https://youtu.be/GjVuR9tgsM4>

History of IDF Home Demolitions in 1997
<https://youtu.be/gqKtl2wvPk>

Documenting Israeli Occupation by B'Tselem
<https://youtu.be/IJ6XMH2ajh0>

Interview with Sharouq in East Jerusalem
<https://youtu.be/mxuxaCBBUNQ>

Limitations of University Education for Young Palestinians
<https://youtu.be/-enA80T10ao>

Difficulties faced by Palestinian Students Studying in Jerusalem
https://youtu.be/k6-n4ua_E_s

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