



Baroness Catherine Ashton of Upholland
Vice-President/High Representative for Foreign Affairs and Security Policy
Rue de La 200
1049 Brussels

cc: European Commissioner for International Trade, Mr Karel de Gucht.

Strasbourg, 11 March 2013

Honourable High Representative,

According to article 21 of the Treaty on European Union (TEU) the Union's external actions shall be guided by the principles which inspired its own creation, development and enlargement, and which it seeks to advance in the wider world: democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, the principles of equality and solidarity, and respect for the principles of the UN Charter and international law.

Also before the Lisbon treaty introduced a legally binding obligation, the EU included conditionality clauses with respect to human rights and democratic principles in its international association and trade agreements. For the EU to remain a credible negotiator vis-à-vis third countries, and to improve human rights and fundamental freedoms through its economic power and actions, it is necessary that the EU enforces these conditionality clauses.

Since taking office you have consistently¹, on behalf of the EU, voiced concerns and condemned the ongoing settlement activity by Israel's government throughout the Occupied Palestinian Territory, including East Jerusalem. The EU has consistently stated that all settlement construction is illegal under international law and constitutes an obstacle to peace, particularly an agreed two-state solution. Regrettably, it is fair to say that up to date the EU's objections did not have any effect on change of policy. We need a new approach and decisive EU action.

The legal framework for EU-Israel relations is provided by the EU-Israel Association Agreement, or the "Euro-Mediterranean Association Agreement". The Agreement is based on mutual respect for human rights and democratic principles, as explicitly stated in article 2 of the Agreement. The ongoing authorisation for settlement activity of the Israeli government, as well as several human rights abuses that have been extensively documented by the United

¹ Statements of 2 December 2012, 8 November 2012, 19 October 2012, 22 August 2012, 8 June 2012, 22 February 2012, 20 December 2011, 2 November 2011, 15 October 2011, 27 September 2011, 17 August 2011, 12 August 2011, 5 August 2011, 6 April 2011, 9 January 2011, 9 November 2010, 16 May 2010, and 10 March 2010.

Nations² and international human rights organizations³, are in breach of Israel's commitments under article 2 of the Agreement.

Recent discussions in the European Parliament about the signing of an 'Additional Protocol to the Euro-Mediterranean' on the 'Conformity Assessment and Acceptance of Industrial Products (CAA)' highlighted the Parliament's concerns about the EU's ongoing trade relationship with Israel despite policies in breach of the Association Agreement. These concerns should be addressed at the appropriate level; the Association Agreement.

One of the main aims of the Association Agreement is to enhance political dialogue between the two parties. The violation of international law and human rights by the Israeli government's activities, and the lack of response to the EU's calls to respect international law, in particular a moratorium on settlement expansion, compels the EU to engage more deeply in a political dialogue with Israel on these troubling issues which need to be formally and duly addressed in the context of the Association Agreement.

The EU should take the lead in observing international law and protecting and promoting universal human rights. We therefore call upon the Commission to formally address the aforementioned concerns as soon as possible in the Association Committee, as established by article 67 of the Association Agreement and to consider the (partial) suspension of the Agreement. We also ask for your reaction and a serious proposal to address this crucial issue.

Marietje Schaake MEP (ALDE)
Jan Philipp Albrecht MEP (GREENS)
Margrete Auken MEP (GREENS)
Franziska Brantner MEP (GREENS)
Tarja Cronberg MEP (GREENS)
Chris Davies MEP (ALDE)
Andrew Duff MEP (ALDE)
Ismail Ertug MEP (S&D)
Véronique De Keyser MEP (S&D)
Nicole Kiil-Nielsen MEP (GREENS)
Liisa Jaakonsaari MEP (S&D)
David Martin MEP (S&D)
Emilio Menéndez del Valle MEP (S&D)
María Muñoz De Urquiza MEP (S&D)
Norbert Neuser MEP (S&D)
Niccolò Rinaldi MEP (ALDE)
Judith Sargentini MEP (GREENS)
Helmut Scholz MEP (GUE/NGL)
Joanna Senyszyn MEP (S&D)
Kyriacos Triantaphyllides MEP (GUE/NGL)
Alexandra Thein MEP (ALDE)
Ivo Vajgl MEP (ALDE)
Graham Watson MEP (ALDE)

² Report of the independent international fact-finding mission to investigate the implications of the Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem;

<http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session19/FFM/FFMSettlements.pdf>

³ Human Rights Watch: <http://www.hrw.org/middle-eastn-africa/israel-palestine>; Amnesty International:

<http://www.amnesty.org/en/region/israel-occupied-palestinian-territories>; Freedom House:

<http://www.freedomhouse.org/country/israel>