

**Madame the High Representative of the European Union, Federica Mogherini**

**Mr Robert Jan Smits - Director-General for Research and Innovation**

We address you regarding Israeli participation within the new Horizon 2020 program.

We appreciate the EU guidelines to regulate the eligibility of Israeli entities for funding schemes and financial instruments of the EU<sup>1</sup> and believe they are an important step in the right direction. These guidelines show that the EU recognizes its political responsibility and obligation to respect international law when it awards funds, grants or prizes to Israeli entities. However, Palestinian civil society has raised concerns that these guidelines may not be sufficient or not be correctly interpreted in order to effectively ensure EU money is not being awarded in forms that aid and assist serious Israeli breaches of peremptory norms of international law<sup>2</sup>.

In a joint letter, Palestinian civil society organizations have brought to our attention a report released by Stop the Wall detailing financial assistance to Elbit Systems and other Israeli military and security companies involved in Israeli violations of international law<sup>3</sup>.

Elbit Systems is one of Israel's biggest military companies and a major producer of drones, weapons and other technology that is a key part of Israel's military apparatus. Funding technological development and research to Elbit Systems or any similar company would at the very least infringe the EU's policy against the funding of dual use projects.

Beyond this, Elbit's technologies have been developed during the course of Israel's military actions that have been severely condemned by EU member states and provoked mass mobilizations throughout Europe<sup>4</sup>.

In 2014 over 60,000 people including Nobel Laureates, artists and public intellectuals issued a letter calling for an immediate military embargo on Israel. The letter underlines that "Israel's ability to launch such devastating attacks with impunity largely stems from the vast international military cooperation and trade that it maintains with complicit governments across the world."<sup>5</sup> We cannot accept that the public money of our constituents, many of whom may hold similar views, will be used for such purposes.

Elbit Systems furthermore participates with the construction of Israel's Wall, which was ruled illegal by the International Court of Justice in 2004. Subsidiaries Elbit Electro-Optics (El-Op) and Elbit Security Systems supplied and incorporated 'LORROS' surveillance cameras in the Ariel settlement section as well as around Ar Ram, in East Jerusalem. For this reason, various pension funds and financial institutions within the European Union have already divested from the company<sup>6</sup> and the UN Special rapporteur on the Occupied Palestinian Territories in 2012 has called for the company to be boycotted<sup>7</sup>.

The European Union has repeatedly condemned Israeli settlements and policies in Area C. It therefore seems in clear contradiction to established EU policies to award funds for research and development to any Israeli company involved in the settlements or the Wall and that may use its technology to further these policies or improves technologies developed for these purposes.

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<sup>1</sup> [http://eeas.europa.eu/delegations/israel/documents/related-links/20130719\\_guidelines\\_on\\_eligibility\\_of\\_israeli\\_entities\\_en.pdf](http://eeas.europa.eu/delegations/israel/documents/related-links/20130719_guidelines_on_eligibility_of_israeli_entities_en.pdf)

<sup>2</sup> <http://www.stopthewall.org/briefing-supporting-israeli-apartheid-eu-funding-elbit-system>

<sup>3</sup> <https://www.stopthewall.org/2015/05/08/palestine-eu-stop-funding-elbit-systems>

<sup>4</sup> <https://wanderingraven.wordpress.com/2015/01/08/drones-use-acknowledged-in-gaza-attacks/>

<sup>5</sup> <http://www.theguardian.com/world/2014/jul/18/arms-trade-israel-attack-gaza>

<sup>6</sup> The most elaborate justification has been published by the Norwegian Pension Fund Council on Ethics already in 2009: <https://www.regjeringen.no/contentassets/160311fdf03347bca414b1fdd7aefc35/tilradning-elbit-engelsk.pdf>

<sup>7</sup> <http://www.un.org/apps/news/story.asp?NewsID=43376#.VWzYUVxViko>

Funding for projects that include Israeli corporations involved in the ‘homeland security’ framework of the settlements risks undermining the guidance to private business issued by more than 20 member states that warn against economic ties that benefit the settlements by instead actively encouraging and financing such cooperation.

Public opinion is dramatically shifting towards an ever stronger call for accountability and against cooperation with companies involved in Israel’s violations of international law and for a military embargo. During the last funding cycle FP7, civil society has targeted a series of projects with Israeli companies involved in the Wall and the settlements<sup>8</sup>. We believe these growing concerns need to be taken into due consideration.

We believe it is our duty to ensure public money is spent on projects that promote the values and principles of the European Union and respect its general commitment to upholding and promoting international law, as set out in the Treaty of the European Union.

We remind the EU that it is obliged to act in conformity with the Horizon 2020 Participation Regulation, which specifies that actions financed under H2020 “should be in conformity with any legal obligation including international law”, as well as with Article 3 (5) of the Lisbon Treaty, which specifies that the Union shall contribute, among others, to peace, security, solidarity and mutual respect among peoples and the protection of human rights as well as to the strict observance and the development of international law, including respect for the principles of the United Nations Charter.

On February 9, the Israeli R&D Directorate for the European Research Area (ISERD) published a document announcing that the EU had already approved 162 projects with Israeli participation within the Horizon 2020 research cycle with a total value of €452.3m<sup>9</sup>. A number of these projects are in the field of space and other sectors such as homeland security and dual use technology. The evaluation process of the new Horizon Space program is starting in April. Other evaluation processes appear to be already ongoing.

We therefore ask you to take these arguments into due consideration and ensure that EU funding is accountable to the demands of EU citizens, does not contradict established EU policies, effectively complies with the EU obligation to respect and promote respect for international law and promotes peace, solidarity and the respect of human rights.

Yours Sincerely,

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- 2 Lynn Boylan MEP (Ireland, GUE/NGL)
- 3 Liadh Ní Ríada MEP (Ireland, GUE/NGL)
- 4 Matt Carthy MEP (Ireland, GUE/NGL)
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- 14 Keith Taylor MEP (UK, Greens/EFA)

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<sup>8</sup> See for example: <http://www.bricup.org.uk/documents/FP7Letter.pdf>, <http://www.eccpalestine.org/eu-research-funding-and-israeli-violations-of-international-law/>

<sup>9</sup> [http://www.iserd.org.il/\\_Uploads/dbsAttachedFiles/final\\_il\\_stat\\_iserd\\_dec2014.pdf](http://www.iserd.org.il/_Uploads/dbsAttachedFiles/final_il_stat_iserd_dec2014.pdf)

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