



## **JERUSALEM AND THE EU**

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Jerusalem's significance for the three major monotheistic religions places it in a position of exceptional importance. The EU, as a collective of Christian states, even if nominally, with large Muslim minorities, is especially responsible for trying to maintain the harmony and peace of this unique city. Moreover, the EU's membership of the Quartet, places an additional onus on it to work towards ending the Israeli-Palestinian conflict, which is played out so vividly in the struggle for Jerusalem

### **Background: Israel's colonisation of East Jerusalem**

Ever since Israel acquired the eastern half of Jerusalem in the 1967 Arab-Israeli war, it has pursued a policy of aggressive colonisation. This has aimed to transform the previously Arab city into a Jewish one, and to consolidate Israel's hold there. This colonisation has progressed on several fronts:

1. Political colonisation – establishing Jerusalem as the capital of Israel. This process started in 1950 when the Israeli government declared West Jerusalem to be its capital. It moved its offices and other administration there and built the Knesset on the site of what had been the Palestinian village of Lifta. In 1967, Israel annexed the eastern half of the city, and has been mounting a ceaseless effort to persuade the international community of Jerusalem's status as Israel's capital and persuading foreign states to move their embassies there. So far, this pressure has been resisted, although efforts by US Congressmen on behalf of Israel aiming to move the US embassy to Jerusalem are ongoing.
2. Physical colonisation – accomplished through the building of three rings of Jewish settlements around the eastern half of Jerusalem, in addition to settlements within the Old City and the Arab neighbourhoods of Jerusalem. This has also taken the form of evicting Arabs from their homes and replacing them with Jewish settlers. As a result, there are today 190,000 Jewish settlers in Jerusalem. A policy of Arab house demolition, (400 houses were bulldozed in 2004, and 1000 are currently under demolition orders), has also released more space for Jewish settlers. In the last year the spotlight has been on Sheikh Jarrah, a traditionally Arab neighbourhood, where Jewish settlers, protected by Israeli police, have been taking over Arab houses.
3. Demographic change – in order to transform Jerusalem into a Jewish city, several judaising policies have been introduced, all acting to denude Jerusalem of its Arab population. Thus, a Jewish settler population now amounting to 190,000 settlers, has been imported into the city. At the same time; many Arabs have lost their residency rights, either by withdrawal of their

permits or other device in a complex weave of bureaucratic and Byzantine Israeli rules. In addition, discriminatory policies against Arabs with regard to house building permits have meant that they either have to move out or build “illegally”. The demolition of such Arab homes has decreased the Arab population further. Today, and as a result of these policies, the Jewish-Arab population ratio of Jerusalem is 70-30 percent, where in 1967, it was nearly 100 percent Arab.

4. Archaeological exploration – since 1967, Israeli archaeologists have carried out extensive excavations in the Old City and in the adjoining village of Silwan with the aim of finding evidence of a historical Jewish presence. This task has now been assigned to fundamentalist Jewish religious organisations with an avowed policy of making Jerusalem exclusively Jewish. Many reports have indicated that these digs endanger the ancient foundations of the Islamic historical buildings in the old city. Latterly, a system of underground tunnels is being opened up to connect Silwan with the Old City, and also between different parts of the Old City. This activity has resulted in the destruction of historical material from various Islamic and pre-Islamic periods. Currently, the ancient Islamic Mamilla cemetery is the site chosen for a “Museum of Tolerance” to be erected. This will result in the destruction of historic tombs

5. Expansion – settlement building has expropriated a large area of the adjoining West Bank. The largest Jerusalem settlement, Maale Adumim, has been expanded virtually to the Jordan Valley, and threatens to cut the West Bank in half. The barrier wall, which encircles eastern Jerusalem, has also annexed considerable areas of Palestinian land to Israel.

6. Societal effects – Israel restricts the movement of Palestinians in and out of Jerusalem. In addition, the discrimination against Arabs in Jerusalem has created a feeling of siege and isolation from the West Bank and Gaza. The inability of Palestinians outside Jerusalem to enter the city, except in a minority of cases, has severed these Palestinians from what had been the major centre of Palestinian life. They cannot worship at their holy shrines in Jerusalem. All this has had damaging societal effects, threatening to fragment Palestinian society and identity. These unquantifiable effects of Israel’s rule over the Palestinians are none the less serious and long-lasting.

### **EU Policy on Jerusalem**

EU policy on Jerusalem has been characterised by a basic contradiction. On the one hand, the formal EU position on the Israeli practices listed above is that they are all illegal. Thus, the EU does not accept:

1. Israel’s annexation of the city
2. The settlements established there
3. The separation wall
4. The demographic changes Israel has created.
5. Discrimination against the Arab population in housing permits, municipal services, residency rights and other social and political discrimination.

Several EU reports have raised these issues and openly criticised Israel’s policy on Jerusalem. On the other hand, the EU has failed to put any meaningful pressure on Israel to halt any of its activities, and has maintained a close and favoured relationship with Israel.

### **Contradictions in EU policy towards Israel**

The EU has at various times issued opinions, reports and declarations critical of Israel's activities in East Jerusalem on the grounds that they conflict with EU official policy. However, these criticisms have rarely if ever resulted in sanction or meaningful pressure against Israel to enforce its compliance with international norms. The EU has also made good the damage wreaked by Israel on Palestinian buildings and infrastructure, often paid for by the EU, without at any time requesting compensation from Israel.

On the contrary, and despite Israeli violations, the EU has maintained a strong relationship with Israel and affords Israel exceptional advantages. On those occasions when Israel has been censured by one or more member state, efforts have soon been exerted to dilute or neutralise the censure. The EU has at various times issued opinions, reports and declarations critical of Israel's activities in East Jerusalem on the grounds that they conflict with EU official policy. However, these criticisms have rarely if ever resulted in sanction or meaningful pressure against Israel to enforce its compliance with international norms. The failure to take punitive action against Israel to enforce either UN resolutions or the EU's own charter of human rights promotes a state of Israeli exceptionalism, supported in practice by many western governments, many of them European states.

#### Some case studies

1. The EU Council meeting on foreign affairs on 8 December 2009:

- Reiterated that the EU does not recognise any changes made by Israel in the occupied territories, including Jerusalem, and that settlement building, the separation wall, house demolitions are all illegal under international law, obstruct peacemaking and the two-state solution. It urged Israel to stop all settlement activity, and to open the Gaza crossings.

- Called for Jerusalem to be the capital of two states. Originally the Swedish presidency had asked that East Jerusalem should be the capital of the Palestinian state and implied that the EU would recognise this state: negotiations should lead to the establishment of a Palestinian state in the West Bank and Gaza, with East Jerusalem as capital. However, lobbying by Germany, France and Italy led to the proposal being watered down

2. EU Heads of Mission in Jerusalem produce regular reports, many of them critical of Israel's conduct in Jerusalem. But these are kept confidential and are unpublished because of Israeli pressure. Such a report, drawn up on 15 December 2008, was leaked to The Guardian on 9 March 2009. It accused Israel of trying to annex East Jerusalem through a combination of Arab house demolitions, settlement building and discriminatory housing policies. Israel was undermining the Palestinian Authority and obstructing peacemaking, and aiming to cut Jerusalem off from the West Bank. The report expressed concern over the growth of settlements in the Old City with 35 new units in the Muslim Quarter and 3500 units for Maale Adumim.

3. Another report, on 23 November 2009, spoke strongly against Israel's policy of changing Jerusalem's demography and its attempts to sever Jerusalem from the West Bank. Israel, the report said, was helping right-wing religious organisations such as El Ad and Ateret Cohanim to plant Jewish settlers in the Muslim Quarter. Israel was promoting archaeology for ideological motives, which distorted the character and identity of Jerusalem. The report recommended countermeasures against this by urging EU officials to strengthen the PA presence in the city, to host PA officials and for EU officials to refrain from visiting Israeli offices in East Jerusalem.

4. A 2005 British report on Jerusalem had levelled much the same criticisms that Israel was trying to annex East Jerusalem through settlement building, and the separation wall. It was presented to the EU Council of Ministers on 25 November 2005, but was suppressed and remains unpublished.

#### Examples of EU cooperation and favourable dealings with Israel

As if none of the above had happened, the EU has cultivated a close relationship with Israel, which is highly advantageous to the Jewish state.

#### Political and trade ties

1. The EU-Israel Association Agreement 1995 and ratified in 2000. This allows for integration of Israel into the European economy. It ensures a free flow of trade in manufactured and agricultural goods, with easing of tariffs and cooperation. The Agreement has provided Israel with far reaching political and economic advantages: institutional political dialogue at the most senior levels in the EU and agricultural exports from Israel to the EU exempt from tariffs. The EU Framework Agreement allows the European Investment Bank to provide Israel with loans and institutionalises its relationship with Israel.
2. The EU is Israel's largest export market and the second largest source of imports (after the US). Israel is already part of the Euro-Med Partnership.
3. Relations with Israel were due to be upgraded on 27 January 2010, but the upgrade was delayed because of Israel's war on Gaza, December 2008-February 2009. However, the consensus is that the EU will be unlikely to impose any sanction on Israel.
4. On 12 December 2009, the EU announced its strong commitment to a partnership with Israel in the areas of mutual trade, investment, and economic, social, financial, civil, scientific, cultural and social cooperation. The objective is to integrate Israel into European policies and programmes "tailor-made" to reflect Israel's interests and priorities and level of development. Israel will receive 14 m. Euros over the next seven years in financial cooperation.
5. Italy's prime minister proposed on 1 February 2010 that Israel should become a member state of the EU.

#### Scientific cooperation

There is extensive and far-reaching collaboration between Israel and the EU in the field of science and technology which has existed for many years. Israel has access to generous EU research funds and facilities. Numerous joint programmes integrate Israeli scientists into European universities and technological institutes. Scholarships are open to Israeli scholars in many areas.

It is not difficult to see why. Israel's scientific and technological wealth makes it a valued economic, scientific and technological partner. Israel's expertise in, the natural sciences, research and development, is formidable. In its eight universities, together with the Weizman and Technion research institutes, and in fields ranging from mathematics and computing through sub-particle physics to molecular biology and neuroscience, Israel ranks amongst world leaders. It spends a higher proportion of GDP (4.7%) on R&D than any other country

including the US (2.6%). Israel's universities, institutes and companies are rich in lucrative patents; Israel is an inventor and exporter of high technology products and know-how – including military technology. In an increasingly globalised economy, scientific research, whether publicly or privately financed, has become international. Israel's science and technology are central drivers of this powerful knowledge economy. This pre-eminence is a matter of huge national pride and international prestige. It is here that Israel's participation in the ERA becomes so important, not just to Israel but also to an EU increasingly committed to neo-liberalism.

### The European Research Area (ERA) <sup>1</sup>

The European research system was originally limited to the EU nation-state members. This was later expanded to become the ERA, primarily to include other European countries such as Norway and Iceland.

The ERA is funded through the transfer of a proportion of the national research and development (R&D) budgets of EU member states to the European Commission's Research Directorate. Research is funded from this budget through five-year Framework Programmes. These aim to build a 'European identity' in research, to aid in wealth creation and quality of life, and to strengthen research in less well-developed EU nations. The Framework programme funds multinational R&D programmes involving universities, research institutes and small and medium enterprises. The current programme (FP7) began in 2007 and is scheduled to spend €50.5 billion over its five-year life.

During the 4<sup>th</sup> Framework Programme, Israel was added to the ERA. Over the past decade Israel has been included in some 1700 R&D collaborations, and between now and 2013, the Israeli government is to contribute €140 million per year, so that it can participate in the Framework Programmes.

All Israel's eight universities, from Bar-Ilan to Tel-Aviv, as well as technical institutes, and many companies are active collaborators with European partners. To take the case of Britain, there are currently 27 active projects at Imperial College and 21 at University College in London; Oxford and Cambridge have participated in 101 projects each with Israeli partner institutes over the past decade, mostly in nanotechnology, molecular neuroscience, and information technology. Others have focused on water management and fishery stocks. This has gone on while gross water allocation inequality and severe restriction on fishing rights is meted out to Palestinians on a daily basis.

Currently, the Commission is considering new steps to deepen its cooperation on scientific research with Israel, despite admitting that previous funds earmarked for that purpose have gone to firms based in illegal settlements in the Palestinian territories. While this is in breach of the European directive which forbids trade with the illegal settlements, there are no signs that Europe is going to pursue the matter. An unpublished document prepared by EU diplomats reveals that because much of the joint research will relate to security issues, Israel has requested a formal assurance that any information it gives to Brussels will be treated confidentially. An IPS report says that the EU Commission's spokesman for enterprise and industry acknowledged that the joint research with Israel will have a so-called anti-terrorist

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<sup>1</sup> I am indebted for much of the information in this section to Steven and Hilary Rose's paper in *Race and Class*

dimension, but it was not aimed at the military, he said, as the Commission was mindful of the ethical dimension, with human rights at the forefront.

In 2006 the Greens tried to block participation for any state in breach of the European Convention on Human Rights in the European Parliament debate on the research budget for the seventh Framework programme. They did not name Israel as such, but instead sought the reaffirmation of the Convention, mindful however of Israel's continual breaches of international humanitarian law. Clearly, such breaches call into question the appropriateness of Europe-Israel trade agreements and its presence in the European Research Area.

The Greens did not succeed. The Research Commissioner and many EU parliamentarians wanted to include Israel because of its A-rated natural science and engineering researchers, which they thought would lead to innovation and wealth creation. The calibre of Israeli research was so important that it took precedence over human rights. Since then scientific cooperation with Israel has only deepened. Last year the EU offered the Hebrew University access to the EU EURAXESS programme, which permits Israeli researchers access to a European-wide network of researchers' mobility and research facilities. This opens up the EU database of job opportunities for Israeli researchers.

## **Conclusion**

An anomaly exists at the heart of EU dealings with Israel. How is it that a country geographically located squarely in the Middle East has managed to persuade Europeans that it is actually part of Europe? Israel's footballers play in the UEFA cup, its singers compete in Eurovision song contests and its research scientists participate in the European Research Area.

This ambivalence towards Israel has resulted in effective outright complicity with its human rights abuses against the Palestinians and its breaches of international law. So long as that situation continues, it is unlikely that Israel's conduct will change. In that sense, the EU has become an accessory to Israeli misbehaviour and a fellow perpetrator of illegal acts against international law and the Palestinian people.

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