

# Coalition for Jerusalem

الإئتلاف من أجل القدس

Website: <http://coalitionforjerusalem.blogspot.com/>

04 December 2006

Foreign Minister Erkki Tuomioja  
European Union Presidency

Dear Foreign Minister Tuomioja,

The Middle East Peace Process (MEPP) appears to be on the eve of another possible defining moment, this time triggered by the proclaimed cessation of hostilities between the Government of Israel and the Palestinian Authority and the GoI's call for the resumption of peace talks. In light of the possibility that the EU will consider that these developments constitute a sensitive juncture in the MEPP and that they therefore call for the EU to speak with extreme caution, we would like to convey our hope that the EU will not fail again to publish its report on east Jerusalem this year.

Last year the European Council determined that the publication of the east Jerusalem report prepared by the Jerusalem and Ramallah Heads of Mission would be "counter-productive" in light of political considerations.<sup>1</sup> The leaked report's content consisted of public facts regarding GoI actions taking place in or around east Jerusalem in contravention of international humanitarian law (IHL), and suggestions of possible EU actions in support of the EU position on east Jerusalem. We appreciate the EU's commissioning of the report, the fact that the report was clearly anchored in international humanitarian law, and the position taken in it that the status of east Jerusalem remains an issue for the international community and not for Israel alone.

We were therefore alarmed that the publication of the Report was apparently suppressed in part out of consideration for Israel's internal political affairs. We note that we would be equally alarmed were the EU to suppress publication of a report on violations of international humanitarian and human rights law perpetrated by internationally-responsible Palestinian actors out of consideration for internal Palestinian political sensitivities.

The efforts invested in the MEPP have not yet brought about the desired goal of an agreed two-state solution. Instead the prospect for a just and durable solution to the conflict has been greatly diminished over the last decade, and we have both witnessed and experienced a severe erosion of our human rights and ability to conduct public life. We consider the root cause of the conflict and the current dismal situation in the oPts to be Israel's politically-instrumentalized violations of

<sup>1</sup> "[...]At their meeting on 12 December, the EU ministers, considering the change in the situation in Israel and in the occupied territories, as well as the forthcoming elections on both sides, resolved that publication of the report would be counter-productive." Council reply of 16 February 2006 to MEP question H-0009/06.

## Members of the Coalition:

Reverend Tayseer Tamimi  
Reverend Atallah Hana  
Minister Hind Khoury  
PNGO  
Fisal Hussein foundation  
Miftah  
Palestinian Counseling Center  
Welfare Association  
Agricultural Relief Committees  
ARIJ  
JCHR  
Arab Engineer's Union  
Al Haq  
Bur El Laqlaq  
Nidal Center  
Assaraya Center  
JCW  
YMCA  
YWCA  
Sabeel  
ECRC  
Al-Mirsat  
Women Center for Legal Aid  
and Counseling  
Palestinian Women Union  
Arab Hotel Association  
Arab Thought Forum  
Yabous  
Edward Said Music  
Conservatory  
Land Research Center  
Dar El Tifel  
Rawdet Al Zuhur  
UPMRC  
UHCW  
UAWC  
Old City Youth Association  
Jerusalem Center for Social  
and Economic Rights  
Arab Working Women Society  
Al\_Maqased Society  
PASSIA  
Hydrology Group  
Education Coalition for  
Jerusalem  
Addameer  
Ensan Center for Human  
Rights  
Jerusalem Hospitals  
Committee  
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PYALARA

Individuals from East  
Jerusalem (list is on record)

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IHL and the international community's failure to demonstrate any credible will to restrain them. If third-state sponsorship of the MEPP continues to be infused with such exceptional neglect of international law, and accommodation to its persistent violation, the formula for organizing that sponsorship must be re-thought. It is not in the interest of either of the peoples that progress and restraint are now seen to flow only from escalations of unlawful violence, mutual fear and despair.

We note that the decision not to publish the 2005 report occurred in the same meeting in which the Council expressed its encouragement for EU initiatives that "promote further mainstreaming of human rights in Common Foreign and Security Policy". As well, in its document "A Secure Europe in a Better World: European Security Strategy" of 2003, the European Council affirmed that a key EU objective is "upholding and developing International law". At the end of 2005 the EU published its European Union Guidelines on promoting compliance with international humanitarian law. As protected persons we hope that the EU's promising and correct declarations on international law will be matched by EU action within the Quartet. Further measures in support of the MEPP should not fail to present all parties and actors with strong incentives to respect international law and strong disincentives to persist in its violation.

None of us doubt the fact that the increasing isolation of east Jerusalem from the rest of the occupied territories and the impoverishment and disenfranchisement of its Palestinian population are contrary to the EU's strategic and humanitarian interests, as well as its values. Enabling the GoI to conduct its external relations with little or no consequence resulting from its ongoing violations of international humanitarian law, including violations of *erga omnes* obligations, is not in the interest of the Community of states. Avoiding public discussion of such obligations does not build confidence in the prospects for a peaceful political solution.

Credible and visible efforts to promote compliance on all sides with international humanitarian law are now required to wean the parties away from recourse to unlawful violence, and to establish conditions favorable to political dialogue and political solutions.

Sincerely,

*The Coalition for Jerusalem*

c/c Dr. Javier Solana, EU High Representative for the CFSP

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